

Amending and Supplementing Chapter 114-64 of the South Brunswick Code Regarding Reduced Fees Charged to Certain Affordable Housing Projects (Revised 2-11-19)

WHEREAS, Chapter 114-64 provides for the reduction of water and sewer connection fees charged to affordable housing projects developed by public housing authorities and nonprofit organizations; and

WHEREAS, changes in State law now require that municipalities also provide a reduction in connection fees for affordable housing units within private inclusionary housing developments as well; and

WHEREAS, the Township Code must be revised in order to comply with these requirements of State law;

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

I. Chapter 114, Utilities, Sec. 114-64, Reduced Fees for Certain Affordable Housing Projects, of the Code of the Township of South Brunswick, shall be and is hereby amended as follows, with additions in underline and deletions in strikethrough:

Sec. 114-64. - Reduced fees for certain affordable housing projects.

(a) The water and sewer revenue division shall provide a reduction in the amount of 50 percent in the connection fee assessed pursuant to this article for new connections to the water system and a 50 percent reduction in the connection fee assessed pursuant to this article for new connections to the sewer system which are to be charged to public housing authorities, ~~and to nonprofit organizations building affordable housing projects~~ and any other affordable housing units, including affordable housing units in inclusionary projects.

(b) For affordable housing units previously connected to the township's water and/or sewer system that were demolished or refurbished to allow for new affordable housing units and for which a connection fee was previously paid, the water and sewer revenue division shall apply a credit against the connection fee to be assessed for connection to the water system and/or the sewer system to public housing authorities, ~~and to nonprofit organizations building affordable housing projects~~ and any other affordable housing units, including affordable housing units in inclusionary projects.

The credit shall be the connection fee previously assessed and paid for connection with the water system and/or the sewer system for units previously connected to the township's system.

(c) The connection fee assessable against a public housing authority, ~~or nonprofit organization or inclusionary project~~ for affordable housing units previously connected to the township's system that were demolished or refurbished to allow for new affordable housing units shall be the lesser of the rate provided for in subsection (a), or the current full rate applicable to other types of housing developments within the same class, minus the credit provided under subsection (b), for units for which a connection fee was previously paid, provided that said public housing

authority, ~~or~~ nonprofit organization or inclusionary project can establish that the connection fee was previously assessed and paid. If the same cannot be established, the rate provided for in subsection (a) shall be assessed.

- II. If any clause, sentence, paragraph, section or part of this ordinance or any other codes or ordinances incorporated herein shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.
- III. This ordinance shall become effective twenty (20) days after its final passage.

The above ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of South Brunswick held on February 26, 2019, and will be considered on second reading and final passage at a regular meeting of the Township Council of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, New Jersey, at 6:00 p.m. on March 26, 2019, at which time and place any person having an interest therein will be given an opportunity to be heard.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josephine "Jo" Hochman, Councilwoman
SECONDER:	Ken Bierman, Councilman
AYES:	Ken Bierman, Josephine "Jo" Hochman, Charlie Carley
ABSENT:	Joseph Camarota, Archana "Ann" Grover

This is to certify that the foregoing is a true copy of a Ordinance Adopted at the South Brunswick Township Council meeting held on March 26, 2019.



Barbara Nyitrai, Township Clerk