

TOWNSHIP OF MENDHAM

ORDINANCE 18-2009

AN ORDINANCE TO AMEND AND SUPPLEMENT THE LAND USE ORDINANCE OF THE TOWNSHIP OF MENDHAM TO AUTHORIZE THE WAIVER OF APPLICATION FEES FOR CERTAIN QUALIFYING NONPROFIT ORGANIZATIONS PURSUANT TO THE MUNICIPAL LAND USE LAW

WHEREAS, the Municipal Land Use Law provides at N.J.S.A. 40:55D-8 for the adoption of an ordinance to provide for the waiver of application fees in connection with applications by nonprofit, charitable, philanthropic and similar entities; and

WHEREAS, the Township Committee of the Township of Mendham desires to provide for the waiver of application fees for all applications by qualifying entities to the land use boards of the Township which currently own property within the Township.

NOW , THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mendham , in the County of Morris and the State of New Jersey , as follows:

Section 1. Subsection 13-14.1 entitled “Application Fees and Related Charges” is hereby amended to include the following:

“13-14.1(p) Notwithstanding the fees set forth in this Section 13-14.1, no application filing fee shall be charged to any charitable, philanthropic, fraternal and/or religious nonprofit organization holding tax exempt status under the Federal Internal Revenue Code of 1954 (25 U.S.C. Section 501 (c) or (d) which acquired real property in the Township on or before the effective date hereof.”

Section 2. If any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion, and such holding shall not affect the validity of the remaining portions hereof.

Section 3. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

Section 4. This Ordinance shall take effect immediately upon final passage and publication in the manner according to law.

Introduced: July 28, 2009

Adopted:

Effective:

Attest:

TOWNSHIP OF MENDHAM

COUNTY OF MORRIS

Ann L. Carlson, RMC

Frank V. Cioppettini, Jr.

Township Clerk

Mayor