

**TOWNSHIP OF MOORESTOWN**

**ORDINANCE NO. 2-2005**

**AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN  
AMENDING MUNICIPAL CODE CHAPTER 158 – SUBDIVISION  
OF LAND, ARTICLE VI MANDATORY DEVELOPMENT FEES:  
SECTION 158-41 RESIDENTIAL DEVELOPMENT AND SECTION  
158-42 NONRESIDENTIAL DEVELOPMENT**

**WHEREAS**, the Township Council of the Township of Moorestown has reviewed the current regulations of the Council on Affordable Housing (COAH) applicable to development fees which can be collected from new development for the creation of low and moderate-income housing; and

**WHEREAS**, the Township Council has determined that the current regulations require modifications to the ordinance for the collection of residential and nonresidential development fees.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Moorestown, County of Burlington and State of New Jersey as follows:

Section 1. Section 158-41 is amended to read as follows:

**158-41. Residential Development**

All developers of residential developments for which minor or major subdivision or site plan approval is required shall pay a development fee of one percent (1.0%) of the equalized assessed value for each residential unit constructed.

Section 2. Section 158-42 is amended to read as follows:

**158-42. Nonresidential Development**

All developers of nonresidential developments for which minor or major subdivision or site plan approval is required shall pay a development fee of two percent (2.0%) of the equalized assessed value for each nonresidential development.

Section 3. In all other respects, Chapter 158 shall remain in full force and effect.

Section 4. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 5. Severability. In the event that any section or paragraph, clause, phrase, term, provision, or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgement shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision, or part thereof directly involved in the controversy in such judgement, shall be rendered.

Section 6. Effective Date. This ordinance shall take effect upon proper publication and in accordance with law.

Section 7. Short Title. This Ordinance shall be known as Ordinance 2-2005.

#### NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on January 10, 2005. This ordinance will be further considered for final passage by the Township Council at a meeting to be held in the Council Chambers of Moorestown Township, 111 West Second Street, Moorestown, NJ on January 24, 2005 at 8pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office in said Municipal Building to any member of the general public who shall request such copies.

Patricia L. Hunt, RMC  
Township Clerk