

WANTAGE TOWNSHIP

AN ORDINANCE TO AMEND CHAPTER XV OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WANTAGE, BEING THE LAND USE PROCEDURES ORDINANCE

Ordinance #2002-14

BE IT ORDAINED by the Township Committee of the Township of Wantage, County of Sussex and State of New Jersey, that Chapter XV of the Revised General Ordinances of the Township of Wantage, being the Land Use Procedures Ordinance is amended as follows:

Section 1. A new section is added as follows:

§15-3.15. Developers Agreements, Deeds and Easements.

- A. Developers Agreements.** The Township may require upon approval of a development that the applicant enter into a developers agreement with the Township to ensure that the project is completed in accordance with the resolution of approval adopted by the Municipal Land Use Board.

- B. Form of Developers Agreement, Deeds and Easements.** The form of developers agreement, as well as any deeds or easements to be conveyed to the Township, shall be in a form acceptable to the Wantage Township Attorney. Prior to these documents being prepared, the person responsible for preparing the documents for the applicant must contact the Township Attorney's office in order to make sure that the approved form of developers agreement, deed or easement is used. Furthermore, simultaneously with the Township Attorney reviewing the deeds or easements, the applicant must, at a minimum, provide a title report providing clear title to the Township, or an updated search, or an opinion letter from the applicant's attorney that there are no liens and that the deed or easement conveys clear title.

Section 2. §15-3.4, Fees and Escrow Deposits, 1.2. The term "professional personnel" shall be defined to include the Township Attorney. The intent of this amendment is to require that an applicant reimburse the Township for the cost the Township incurs in the Township Attorney reviewing documents submitted by the applicant, including, but not limited to, developers agreements, deeds and/or easements.

Section 3. The Municipal Clerk is hereby directed to refer this ordinance to the Municipal Land Use Board pursuant to N.J.S.A. 40:55D-64. The Land Use Board has 35 days to prepare and forward a report to the Township Committee identifying the provisions of the ordinance that are consistent with the Master Plan. The report should include any provisions of the proposed ordinance that are inconsistent with the Master Plan, as well as include any other recommendations.

Section 4. The Municipal Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this ordinance to the County Planning Board and to all other entities pursuant to the provisions of N.J.S.A. 40:55D-15.

Section 5. Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstance is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 6. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 7. Effective Date. This ordinance shall take effect after publication and passage according to law and filing with the Sussex County Planning Board in accordance with N.J.S.A. 40:55D-16.

Richard H. Sytsema, Mayor

ATTEST:

James R. Doherty, Administrator/Clerk

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Township Committee of the Township of Wantage on April 11, 2002, and will be considered for final passage after public hearing at a regular meeting of the Township Committee of the Township of Wantage to be held on May 30, 2002, at 8:00 p.m. in the Municipal Building, 888 Route 23 S., Wantage, New Jersey.

James R. Doherty, Administrator/Clerk

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