

ORDINANCE NO. 14-04

AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE, VOLUME II, SECTION 1000, ENTITLED, "APPLICATION AND ESCROW FEES" AND AMENDING SECTION 1004, ENTITLED "APPROVAL BY TOWNSHIP ATTORNEY"

BE IT ORDAINED by the Township of Neptune of the County of Monmouth in the State of New Jersey that the Land Development Ordinance, Section 1000, entitled, "Application and Escrow Fees", and Section 1004, entitled, "Approval by Township Attorney", shall be amended as follows:

§1000 – Application and Escrow Fees.

- A. Fee Schedule. Every application for development shall be accompanied by a check payable to the Township of Neptune in accordance with the following schedule:
1. Developer's Agreement: Where a Developer's Agreement is required under this Ordinance, the developer shall pay \$400.00 for the preparation and/or review of the Developer's Agreement by the Township Attorney as set forth in Section 1004(C).

§1004 – Approval by Township Attorney.

- C. Developer's Agreements: In addition to those requirements of the Land Development Ordinance, there shall be required on all major subdivisions and all major site plans a Developer's Agreement prepared by the Township Attorney. The terms of said agreement shall be by the general development of the tract, the site plan and/or subdivision approval resolution and the following terms and procedures:
1. Any of the terms set forth in this section and the Land Development Ordinance concerning performance;
 2. The manner in which the performance guarantee shall be held by the Township with the additional provision that the cash deposit shall be the last amount of security released by the Township so that the entire performance guarantee shall be reduced and released prior to release of any cash deposit posted therein;
 3. That the developer shall maintain or shall be responsible for having others maintain all roads within the subdivision, which maintenance shall include snow removal, cleanup and repair until final acceptance by the Township, or approval of a Municipal Service Agreement;
 4. The developer shall be responsible for all garbage and refuse pickup and disposal, including from any buildings or dwellings that may receive a Certificate of Occupancy on any new street, until final acceptance by the Township or approval of a Municipal Service Agreement;

5. The developer shall be responsible for the cost and maintenance of all fire hydrants installed on any new street until final acceptance by the Township or approval of a Municipal Service Agreement;
6. The developer shall be responsible for all street lighting and the cost of maintaining the same until the date of final acceptance by the Township or approval of a Municipal Service Agreement;
7. The developer shall deliver to the Township a Certificate of Insurance for general liability coverage in the amount of not less than \$1,000,000.00/\$2,000,000.00 naming the Township as an additional insured and in the form acceptable to the Township Attorney, which shall remain in effect until the date of final acceptance by the Township;
8. The developer, its successors or assigns is required to comply with the Developer's Fee Ordinance of Neptune Township pursuant to the Land Development Ordinance of the Township of Neptune to the extent applicable. The developer shall make any Affordable Housing Contribution relating to that portion of the development allowed by law and applicable to said development;
9. The developer, its successors or assigns shall repair and maintain all decorative lighting fixtures, lighting fixture poles, sidewalks and/or trees installed and approved by final plan, including those decorative lighting fixtures installed and trees planted within the public right-of-way, if any, as required by such plan and not on developer's property;
10. Said Developer's Agreement shall be in recordable form and the same shall be recorded in the Clerk's Office of Monmouth County, with the recording fees paid for by the developer;
11. The Mayor and Township Committee shall have the right to waive, under appropriate circumstances, any and all of the provisions that may be required by this Section and a Developer's Agreement.

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

The Ordinance shall become effective immediately upon its final passage and publication as required by law.

APPROVED ON FIRST READING: January 27, 2014

APPROVED, PASSED AND ADOPTED: February 10, 2014

ATTEST:

Richard J. Cuttrell,
Municipal Clerk

Dr. Michael Brantley,
Mayor