O2018-27

ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XVIII (UNIFIED DEVELOPMENT ORDINANCE) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAKEWOOD, SPECIFICALLY ARTICLE VIII "DESIGN STANDARDS", SECTION 18-815.1.1 ("Definitions") AND SECTION 18-815.1.9 ("Maintenance and Repair") OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LAKEWOOD

BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

SECTION 1. That Article VIII of the Unified Development Ordinance of the Revised General Ordinances of the Township of Lakewood entitled "Design Standards", Section 18-815.1.1 ("Definitions") and Section 18-815.1.9 ("Maintenance and Repair"), be and hereby is amended and supplemented as follows:

18-815.1.1 Definitions.

Residential Community: For purposes of Stormwater Management, a "residential community" is defined as a residential area or subdivision of property created by a developer where there is no homeowners association or condominium association created in conjunction with said development, and where stormwater management facilities are dedicated, assigned, and/or transferred to the municipality, and accepted by official action of the municipality. Residential communities shall be required to pay fees for stormwater management in accordance with Section 18-815.1.9.B.12.

Residential Development or Project: : For purposes of Stormwater Management, a "residential development or project" is defined as a residential area or subdivision of property created by a developer where there is created a homeowners association or condominium association created in conjunction with said development, and where either the homeowners/condominium association or the developer maintains and repairs all stormwater management facilities as set forth in its approval for said development, the Developers Agreement associated therewith, the master deed and by-laws of said association and by deed restrictions created as a condition of any approval of said development. General maintenance of all stormwater management facilities so constructed shall be in accordance with Sections 18-815.1.9.B.1 through 18-815.1.9.B.8.

18-815.1.9 Maintenance and Repair.

B. General Maintenance.

* * *

12. For all proposed stormwater management facilities serving a residential community, the Township shall be responsible for all maintenance (both annual and perpetual). The following one-time maintenance fees shall be assessed per unit and paid to the Township before the issuance of the first certificate of occupancy to any unit for all of the original units created, and thereafter for any subsequent certificates of occupancy issued for any subsequently created units via further subdivision of the original parcels. The maintenance fee assessment shall be held by the Township in a separate and dedicated fund, which shall be used by the Township exclusively for maintenance and repair of such stormwater management facilities within the Township.

a. Single-family detached dwellings: ~~$750.00~~ $1,000.00

b. Single-family attached dwellings: ~~$500.00~~ $750.00

c. Multi-family dwellings: ~~$300.00~~ $550.00

Funds shall be posted as a condition of the release of this performance guarantee.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, paragraph, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication as required by law.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Lakewood, in the County of Ocean and State of New Jersey on the **12th day of April, 2018**, and was then read for the first time. The said Ordinance will be further considered for final passage by the Township Committee in the Town Hall at 7:30 p.m. on **May 31, 2018**. At such time and place or any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Kathryn Hutchinson, RMC, CMC, CMR, RPPS
Township Clerk

CERTIFICATION

I, Kathryn Hutchinson, Township Clerk of the Township of Lakewood, do hereby certify the foregoing to be a true and exact copy of the ordinance which was adopted by the Township Committee of the Township of Lakewood at a meeting held on **May 31, 2018** at 7:30 P.M., at the Municipal Building, located at 231 Third Street, Lakewood, NJ 08701.

Kathryn Hutchinson, RMC, CMC, CMR, RPPS
Township Clerk