

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF MOUNT OLIVE REQUESTING REVIEW AND  
APPROVAL OF AMENDED DEVELOPMENT FEE ORDINANCE**

**WHEREAS**, the Governing Body of Mount Olive Township, Morris County, requested an extension of the deadline to petition for substantive certification pursuant to Executive Order 114 and the Memorandum of Understanding between the Highlands Council and the Council on Affordable Housing; and

**WHEREAS**, P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), permits municipalities that are under the jurisdiction of COAH or of a court of competent jurisdiction and that have a COAH-approved spending plan to impose and retain fees on residential and non-residential development; and

**WHEREAS**, subject to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), N.J.A.C. 5:97-8.3 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing (COAH) that is accompanied by and includes the following:

- A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
- A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e);
- A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d);
- A description of collection procedures per N.J.A.C. 5:97-8.3(f);
- A description of development fee appeals per N.J.A.C. 5:97-8.3(g); and
- A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h).

**WHEREAS**, Mount Olive Township has prepared a draft development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees consistent with COAH's regulations at N.J.A.C. 5:97-8 and in accordance with P.L.2008, c.46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

**NOW THEREFORE BE IT RESOLVED** that the Governing Body of Mount Olive Township, Morris County requests that COAH review and approve Mount Olive Township's development fee ordinance.

TOWNSHIP OF MOUNT OLIVE

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Russell Tepper, Council President

I hereby certify the above to be a true copy of a resolution adopted by the Township Council of the Township of Mount Olive at a duly convened meeting held on

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Lisa M. Lashway, Township Clerk