

**AN ORDINANCE AMENDING CHAPTER 25, SECTION 56 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(ESCROW SCHEDULE)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 25, Section 56 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 25, Section 56 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 25 SECTION 56 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§25-56 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled "Application Fees" which specifies various application fees for minor subdivisions, major subdivisions, site plans for both residential and non-residential zones, variances and conditional uses and digitizing zoning board of adjustment, shall be repealed and replaced by the following language:

§ 25-56.1 Minor Subdivision Application Fees.

Fees for minor subdivision applications shall be prescribed by Resolution at the approval of the Council of the Township of West Orange.

		Fee	Escrow
a.	Resubdivision where no new lots are created	\$50	N/A
b.	Other		
	Base fee	\$100	N/A
	Plus per lot fee	25	

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§ 25-56.2 Major Subdivision Application Fees.

Fees for major subdivision applications shall be prescribed by Resolution at the approval of the Council of the Township of West Orange.

		Fee	Escrow
a.	Sketch/Plat Concept Application		
	Base fee	\$100	N/A
	Plus per lot fee	25	

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		Fee	Escrow
b.	Preliminary Application		
	Base fee	\$200	(1)
	Plus per lot fee	50	
c.	Final Application		
	Base fee	\$250	(1)
	Plus per lot fee	25	

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§ 25-56.3 Site Plans - Nonresidential Application Fees.

Fees for nonresidential applications shall be prescribed by Resolution at the approval of the Council of the Township of West Orange.

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		Fee	Escrow
a.	Sketch Plat/Conceptual		
	Fee	\$350	N/A
b.	Preliminary Application		
	Base fee (minimum)	\$300	(1)
	Plus floor area fee	0.02/square feet	
	Plus parking space fee	0.50/space	
	Plus acreage fee	\$50/acre	

The preliminary fee shall be calculated by adding to the base fee one of the three remaining sub-fees. The total fee shall represent the maximum fee possible.

c.	Final Application	1/2 of preliminary fee	(1)
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§ 25-56.4 Site Plans - Residential Application Fees.

Fees for site plan applications shall be prescribed by Resolution at the approval of the Council of the Township of West Orange.

		Fee
a.	Sketch Plat	
	Fee	\$75
b.	Preliminary Application	
	Base fee	\$200
	Plus unit fee	\$50
c.	Final Application	
	Base fee	\$100
	Plus unit fee	\$25

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§ 25-56.5 Variances and Conditional Use Application Fees.

Fees for variance and conditional use applications shall be prescribed by Resolution at the approval of the Council of the Township of West Orange.

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	Fee	Escrow
a. "D" Variances		
Nonresidential	\$350	(1)
Residential	1—2 family (owner occupied)	\$75
	1—2 family (non-owner occupied)	\$125
	Other	\$150
	Public/Quasi-public	\$100
b. "C" Variances		
Nonresidential	\$250	
Residential	1—2 family (owner occupied)	\$75
	1—2 family (non-owner occupied)	\$125
	Other	\$250
	Public/Quasi-public	\$100
c. Interpretations and Appeals		
Fee	\$150	
d. Conditional Uses		
Fee	\$300	

Separate fee(s) shall be required for each application type. Therefore, if an application package consists of a "D" variance, "C" variance and site plan, the total fee shall be the sum of the fees for each separate application. The escrow charge shall be the maximum for any one type of application.

Where disbursements from the escrow account leave less than 10% of the original deposit, the applicant shall replenish the account in an amount equal to the original deposit. (See Section 25-55, Escrow Deposits for Applications. If less than 10% remains in escrow account, applicant shall post additional escrow in amounts equal to original deposit.)

§ 25-56.6 Fee for Digitizing Zoning Board of Adjustment and Planning Board Applications, Exhibits and Drawings.

Fees for digitizing Zoning Board of Adjustment and Planning Board applications, exhibits and drawings shall be prescribed by Resolution at the approval of the Council of the Township of West Orange.

a. Residential Site Plan and Subdivision Fees:

Concept Plan:	0 to 20 lots/units:	\$100 per lot or unit
	21+ lots/units:	\$2,000 + \$50 per lot/unit in excess of 20
Minor Subdivision:		\$200 + \$100 per lot
Site and/or Major Subdivision:		
Preliminary:	0 to 10 units or lots:	\$500 + \$100 per lot or unit
	11 to 30 units or lots:	\$1,000 + \$75 per lot or unit

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	31 or more units or lots:	\$2,500 + \$50 per lot or unit
Final:	0 to 10 units or lots:	\$200 + \$75 per lot or unit
	11 to 30 units or lots:	\$300 + \$50 per lot or unit
	31 or more units or lots:	\$1,000 + \$40 per lot or unit

b. Commercial/Industrial Development Application:

Concept Plan:	0 to 3 lots:	\$300 + \$100 per lot
	4 or more lots:	\$2,000 + \$250 per lot

~~If an application involves 10 or more acres, an additional \$100 for each acre, or fraction thereof, in excess of 10 acres.~~

c. Commercial/Industrial Development Application Involving New Building Area:

Concept Plan:		\$1,000
Preliminary Site Plan:	0 to 1,999 square feet:	\$1,000
	2,000 to 19,999 square feet:	\$1,000 + \$150 per each 1,000 square feet of gross floor area
	20,000 + square feet:	\$2,500 + \$50 per each 1,000 square feet above 20,000 square feet of gross floor area
Final:	0 to 1,999 square feet:	\$500
	2,000 to 19,999 square feet:	\$2,500
	20,000 + square feet:	\$1,000 + \$0.12 per square foot

d. Other Submissions:

Conditional use approval:

Appeals under N.J.S.A. 40:55D-70a:	\$750
Interpretation or special questions under N.J.S.A. 40:55D-70b:	\$100
One or two family residences hardship variances under N.J.S.A. 40:55D-70C: (decks, home addition)	\$35
All other hardship variances under N.J.S.A. 40:55D-70c:	\$750
Single Family Residence:	\$200
Multi-family Residence:	\$200 + \$100 per unit
All other use variances N.J.S.A. 40:55D-70d:	\$500

e. Amended Submissions:

Revised or amended plans or submission for single or two family dwellings:	An amount not to exceed 50% of the original fee requirement
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~~Revised or amended plans or submission in all other categories;~~

~~An amount not to exceed 50% of the original fee~~

~~A separate check payable to the Township of West Orange shall be submitted for all the above application types.~~

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

TAMMY WILLIAMS,
COUNCIL PRESIDENT

KAREN J. CARNEVALE, R.M.C., MUNICIPAL CLERK

INTRODUCED: March 21, 2023

ADOPTED:

2720-23

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Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 25 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.