

BOROUGH OF FREEHOLD

COUNTY OF MONMOUTH

#2022/6

**ORDINANCE OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING DEVELOPMENT
REGULATIONS AND LAND USE PROCEDURES CONCERNING FEE PAYMENT
PROVISIONS APPLICABLE TO THE HISTORIC PRESERVATION ADVISORY
COMMISSION AND THE REDEVELOPMENT ENTITY**

WHEREAS, the Borough of Freehold (the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough of Freehold created a Historic Preservation Advisory Commission (HPC or Commission); and

WHEREAS, the Borough Council acts as the "Redevelopment Entity" pursuant to N.J.S.A. 40A:12A-4(c) for implementing the Freehold Center Core Rehabilitation Plan ("CCRP") and carrying out redevelopment projects; and

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., authorizes a municipality to collect escrow fees for professional services employed by the municipality to review applications for development and for municipal inspection fees; and

WHEREAS, it is the intention of the Borough that professionals involved in the inspection of such development be reimbursed by applicants for their services; and

WHEREAS, the Borough has reviewed the current Code and determined that it is necessary to amend the Code to reflect fees more in line with the expenses incurred in connection with certain activities.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Freehold as follows:

Section I

Title 2 "Administration and Personnel" of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline; deletions are noted as struck through [Unmodified sections were omitted for the sake of brevity]:

2.114.080 Procedure for commission's review

A. Generally

* * *

2. Applications shall be made on forms available in the office of the Construction Official in Borough Hall. Completed applications shall be delivered or mailed to the administrative officer. All such applications shall include payment of a filing fee and an escrow fee in the amounts established, and amended from time to time, by ordinance. There shall be no fee for conceptual reviews under Section 2.114.080(B). The fee for an application to the Historic Preservation Commission shall be \$100. In addition, upon the filing of an application and the applicable fee, there shall also be filed an Escrow Fee Deposit in the amount of \$750.00 for all applications except for Minor Applications.

Section II

Title 18 (Zoning) of the Code of the Borough of Freehold shall be amended and supplemented by the addition of a new Subsection 18.07.060 entitled "Fees" as follows; additions to the current ordinance are noted in underline; deletions are noted as struck through [Unmodified sections were omitted for the sake of brevity]:

18.07.060 Fees

For those applications that do not require review by the Planning Board, the applicant/developer shall, at the time of filing an application, pay a fee to the Borough by cash, certified check, or money order in accordance with the following:

A. Non-refundable Fees. There shall be a non-refundable fee of \$100.00 for the purpose of offsetting in-house administrative, clerical and technical costs, exclusive of expenses for professional consultants, such as legal, planning, engineering and other professional fees, costs and expenses.

B. Escrow Fees. There shall be posted an escrow of \$1,000.00 for the purpose of reimbursing the borough for direct fees, costs, charges and expenses of professional consultants retained by or on behalf of the Redevelopment Entity in reviewing, testifying, and/or assisting the Redevelopment Entity in processing these applications.

Section III

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance. All other Ordinances or parts thereof that are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning, and land use regulations.

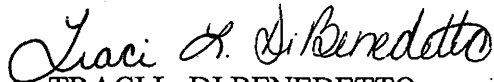
Section IV

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

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH
NO. 2022/6**

**ORDINANCE OF THE BOROUGH OF FREEHOLD, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING
DEVELOPMENT REGULATIONS AND LAND USE PROCEDURES
CONCERNING FEE PAYMENT PROVISIONS APPLICATION TO THE
HISTORIC PRESERVATION ADVISORY COMMISSION AND THE
REDEVELOPMENT ENTITY**

NOTICE IS HEREBY GIVEN that the forgoing Ordinance was approved for final adoption by the Mayor and Council of the Borough of Freehold at a meeting held on May 16, 2022.


TRACI L. DI BENEDETTO
BOROUGH CLERK