

ORDINANCE NO. 3590

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN IN THE COUNTY OF SOMERSET, STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 146, CONSTRUCTION CODES, UNIFORM - SECTION 146-2 - FEES, ADDING SUBSECTION 146-2 (B) (3) - WAIVER OF FEES WHEN A GENERAL WATER EMERGENCY IS DECLARED.

SUMMARY

An ordinance amending Chapter 146, Construction Codes, Uniform, Section 146-2 - Fees, Adding New Subsection 146-2 (B) (3) - Waiver of Fees when a General Water Emergency is declared. Fees may be waived by resolution of the Township Council when the Health Officer declares a general water emergency.

BE IT AND IT IS HEREBY ORDAINED that the Code of the Township of Franklin be and it is hereby amended as follows:

SECTION I

Chapter 146, Construction Codes, Uniform - Section 146-2 - Fees is amended to read as follows:

- A. A construction permit will be valid for one (1) year from the date of issuance and the fee shall be the sum of the subcode and surcharge fees in Subsection C(1) through (6) and C(8) and (9) hereafter listed and shall be paid prior to the issuance of a construction permit. [Amended 4-11-89 by Ord. No. 1478]
- B. (1) Fees are hereby waived for public institutions, churches and volunteer fire companies. Fees may also be waived or reduced for community organizations, charitable institutions receiving tax-exempt status under the Internal Revenue Code and for buildings being rebuilt immediately after destruction by fire or acts of nature; provided however, that such waivers as set forth hereinabove for community organizations, charitable institutions receiving tax-exempt status under the Internal Revenue Code and for buildings being rebuilt immediately after destruction by fire or acts of nature shall be so waived or reduced only by resolution of the Township Council of the Township of Franklin.
- (2) Fees are hereby waived for any disabled person or a parent or sibling of a disabled person for construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to his/her own living unit. [Added 11/12/98 by Ord. No. 3018]

For the purposes of this Subsection, "disabled person" shall mean a person meeting the definition of "disabled person" set forth in Section 52:27D-126e of the State Uniform Construction Code. [Added 11/12/98 by Ord. No. 3018]

- (3) *In situations where the Health Officer declares a general water emergency, fees associated in this chapter may be waived by resolution of the Township Council (effective April 28, 2004).*

SECTION II

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the Ordinance shall not be affected.

SECTION III

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

SECTION IV

This ordinance shall take effect immediately upon adoption and publication according to law.

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THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE
TOWNSHIP COUNCIL, TOWNSHIP OF FRANKLIN, SOMERSET, NJ

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| INTRODUCED: | January 10, 2006 |
| PUBLIC HEARING: | February 14, 2006 |
| ADOPTED: | February 14, 2006 |
| NOTICE OF FINAL ADOPTION: | February 20, 2006 |
| EFFECTIVE DATE: | March 6, 2006 |

Ann Marie McCarthy, Township Clerk