

## ORDINANCE 2013-12

### AN ORDINANCE AMENDING CHAPTER 18.79 ENTITLED "AFFORDABLE HOUSING DEVELOPMENT FEES" SO AS TO EXEMPT RESIDENTIAL STRUCTURES SUBSTANTIALLY DAMAGES BY NATURAL DISASTERS

Be it ordained by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey that Chapter 18.79 of the codified ordinances of the Township of Ocean shall be amended to include a new provision as follows:

#### **SECTION I 18.79.090 Exemption For Certain Residential Structures Sustaining "Substantial Damage".**

The owner of any residential structure located within the Township of Ocean which sustains "substantial damage" as a result of a natural disaster, and which is located in an area which has been declared a Federal Disaster Area, shall be exempt from paying a development fee as otherwise required by this chapter. "Substantial Damage" shall mean damage to the structure which is equal to, or greater than 50% of the assessed value of the structure in question.

**SECTION II** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION III** If any section, subsection, clause, phrase or portion or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of remaining portions.

**SECTION IV** This ordinance shall take effect after second reading and publication as required

### NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Ocean on first reading at a regular meeting held on the 11th day of April, 2013. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 9th day of May, 2013, at 6:30 p.m., in Committee Chambers, at the Municipal Building, 50 Railroad Ave, Waretown, N.J., at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard. Submitted by Diane B. Ambrosio, RMC, Municipal Clerk.

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Diane B. Ambrosio, RMC  
Municipal Clerk