

**AN ORDINANCE OF THE TOWNSHIP OF SPARTA  
PROVIDING FOR THE STATUTORY WATER AND SEWER CONNECTION FEE  
REDUCTIONS FOR AFFORDABLE HOUSING UNITS**

**WHEREAS**, the County and Municipal Water Supply Act and the Municipal and County Sewerage Facilities Act were recently amended by the adoption of N.J.S.A 40A:31-11.3 and N.J.S.A 40A:26A-11.3, which require a 50% reduction in connection fees for new connections to the water supply system and to the sewerage system which is to be charged to public housing authorities, non-profit organizations building affordable housing projects, and any other affordable housing, including affordable housing units in inclusionary projects;

**WHEREAS**, N.J.S.A 40A:31-11.3 and N.J.S.A 40A:26A-11.3 also require a credit (in the amount of the connection fee previously paid), for units previously connected to the water supply or sewerage system that were demolished or refurbished to allow for new affordable housing units and for which a connection fee was previously paid; and for such affordable housing units previously connected to the water supply or sewage system that were demolished or refurbished to allow for new affordable housing units, the connection fee shall be the lesser of the 50% reduced rate or the current non-reduced rate minus the credit for the connection fee previously paid.

**NOW, THEREFORE, BE IT ORDAINED** by the Sparta Township Council, County of Sussex, State of New Jersey,

**Section 1. Affordable Housing Connection Fees.**

**Water:** Ordinance Section 19-14s is amended to add the following:

**A. New Connection.** Public housing authorities, non-profit organizations building affordable housing projects, and any other affordable housing, including affordable housing units in inclusionary projects, shall receive a 50% reduction in the connection fees established in Section 1 for new connections to the water system.

**B. Previously Connected to system(s).** Units previously connected to the Township's water system that were demolished or refurbished in order to allow for new affordable housing units and for which a water connection or tapping fee was previously paid, shall receive a credit in the amount of the connection fee previously paid. However, the connection fee(s) shall be the lesser of the 50% reduced rate provided for in Section 2.A, or the current non-reduced rate minus the credit for the connection fee previously paid. The affordable housing developer is responsible to provide evidence of the previously paid connection fee, failure to provide such proof of payment shall result in the developer paying the reduced rate provided for in Section 2.A.

**Sewer:** Ordinance Sections 20-3.6d & e are amended to add the following:

**A. New Connection.** Public housing authorities, non-profit organizations building affordable housing projects, and any other affordable housing, including affordable housing units in inclusionary projects, shall receive a 50% reduction in the connection fees established in Section 1 for new connections to the sewer system.

**B. Previously Connected to system(s).** Units previously connected to the Township's sewer system that were demolished or refurbished in order to allow for new affordable housing units and for which a sewer connection or tapping fee was previously paid, shall receive a credit in the amount of the connection fee previously paid. However, the connection fee(s) shall be the lesser of the 50% reduced rate provided for in Section 2.A, or the current non-reduced rate minus the credit for the connection fee previously paid. The affordable housing developer is responsible to provide evidence of the previously paid connection fee, failure to provide such proof of payment shall result in the developer paying the reduced rate provided for in Section 2.A.

**Section 2: Severability.** If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Section 3: Repealer.** All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

**Section 4: Effective Date.** This ordinance shall take effect after publication and passage according to law.

## **NOTICE**

**NOTICE** is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Township of Sparta, in the County of Sussex, New Jersey, held on June 11, 2019. It will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Municipal Building, 65 Main Street, in the Township of Sparta, on June 25, 2019 at 7:30 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA

KATHLEEN CHAMBERS, RMC  
MUNICIPAL CLERK

## **NOTICE**

**NOTICE** is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on June 11, 2019. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, held on June 25, 2019 at 7:30 p.m. at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

KATHLEEN CHAMBERS, RMC  
MUNICIPAL CLERK