

ORDINANCE No. 23- 2010

**ORDINANCE OF THE TOWNSHIP OF LIVINGSTON AMENDING
AND SUPPLEMENTING CHAPTER 170 OF THE CODE OF THE
TOWNSHIP OF LIVINGSTON TO REVISE VARIOUS FEES**

BOLD LANGUAGE IS ADDED, strike through is deleted

Section 1 Chapter 170: Land Use - Article VII: Fees - 1 70-52A(1):

Subdivisions.

(1) Subdivisions

- (a) Concept plan of a minor subdivision: \$50, which shall be a credit toward fees required to be filed for technical review deposits hereinafter set forth in this article.
- (b) Concept plan of a major subdivision: \$50 for each lot within the Subdivision, with a minimum fee of \$500, which shall be a credit toward fees required to be filed for technical review escrow deposits hereinafter set forth in this article.
- (c) Minor subdivisions or resubdivisions: \$300, plus \$50 for each lot within the subdivision.
- (d) Preliminary plat of a major subdivision: \$1,000, plus \$100 for each lot within the subdivision.
- (e) Final plat of a major subdivision: \$500, plus \$50 for each lot approved within the subdivision.
- (f) Amendments to approved plats: 50% of original application
- (g) **Lot Line Adjustment: \$300**

Chapter 170: Land Use - Article VII: Fees - 1 70-52A(2): Site Plans.

(2) Site Plans

- (a) Concept plan which would require a zone change: \$5,000.
- (b) All other concept site plans: \$500.
- (c) Preliminary site plan: \$2,000, plus \$200 per housing unit (residential); \$2,000, plus \$200 for the first 10 acres (or portion thereof), any additional acreage: \$50 per acre of lot area or fraction thereof, plus \$100 per 1,000 square feet of building area (or portion thereof) (nonresidential).
[Amended 7-9-2007 by Ord. No. 24-2007]
- ~~(d) Any site plan involving residential development in the Township: \$500, plus \$50 for each housing unit proposed within the project.~~
- (e) Final site plan: 75% of the fee required for preliminary site plan as set forth in Subsection A(2)(c) above.
- (f) Amendments to approved site plans: 50% of original application fee.
[Added 3-19-2007 by Ord. No. 3-2007]
- (g) Minor site plan: \$500.
[Added 3-19-2007 by Ord. No. 3-2007]

Chapter 170: Land Use - Article VII: Fees - 1 70-52B: Technical Review Escrow
Deposits.

B. Technical review escrow deposits. In addition to the filing fees or any other fees required in this

article, an applicant may be required to file with the administrative officer an escrow deposit fee of adequate funds to cover the costs incurred for the technical review of the application by a professional other than the Township Planning Director and Township Engineer, such as the Township Planning Consultant, Planning Board Attorney or any other professional consultant, if the Board determines that such technical review services are necessary for proper consideration of the application. The administrative officer shall place all such deposits in an escrow account in the name of the applicant and shall charge against such account all disbursements in connection with the costs referred to above. Technical review fees shall be calculated in accordance with the actual time required for review at rates established by a schedule of professional fees filed annually with the administrative officer, which schedule shall be maintained in the office of the Township Clerk for public inspection. If such technical review services are determined to be necessary, the applicant shall pay to the Township an initial deposit for technical review fees in accordance with the following schedule:

[Amended 4-18-2005 by Ord. No. 10-2005]

(1) Subdivisions.

(a) Concept plan: \$1,000 for each lot within the subdivision.

(b) Minor subdivision or resubdivision: \$1,000.

(c) Preliminary plat of a major subdivision: \$2,000, plus \$200 for each lot within the proposed subdivision.

(d) Final plat of a major subdivision: \$1,000.

(e) **Lot Line Adjustment: \$500**

(2) Site plans.

(a) Concept plan: \$1,000.

(b) Preliminary site plan: \$2,000, plus \$200 per housing unit (residential); \$2,000, plus \$200 per lot acre {or portion thereof **up to 10 acres**), plus **\$50 per lot acre (or portion thereof above 10 acres)**, plus \$100 per 1,000 square feet of building area (or portion thereof) (nonresidential).

(c) Final site plan: 75% of preliminary site plan escrow deposit.

(d) If an applicant submits a preliminary and final site plan to be processed simultaneously, the applicant must file the appropriate fees as set forth in Subsection B(2)(b) and (c) of this section.

(e) Minor site plan: \$4-00 **\$1500.**

[Added 3-19-2007 by Ord. No. 3-2007]

(3) Conditional use.

(a) A conditional use application: **\$1000.**

(4) Variances and appeals.

(a) Applications pursuant to N.J.S.A. 40:55D-70(a), (b) and (c): **\$1000** (nonresidential only).

(b) Use variance application pursuant to N.J.S.A. 40:55D-70d: \$4,0-00 **\$1500** (residential); \$2,500 (nonresidential).

(5) Livingston Center Redevelopment Plan.

[Added 5-5-2008 by Ord. No. 9-2008]

(a) Deviation or interpretation: \$150.

(6) Non-conforming Use: \$500.

Chapter 170: Land Use - Article VII: Fees - 170-52M: Inspection fees for required improvements.

M. Inspection fees for required improvements.

- (1) Sanitary sewers: ~~\$0.20~~ per linear foot
- (2) Water mains: ~~\$0.20~~ per linear foot.
- (3) Storm drains: ~~\$0.20~~ per linear foot.
- (4) Curbing: \$0.10 per linear foot.
- (5) Road paving: \$0.10 per square yard.
- (6) Parking lots: \$0.10 per square yard.
- (7) Sidewalks: \$0.10 per linear foot.
- (8) Shade trees: \$0.25 each

Applicants, as indicated below, upon approval from the Livingston Planning Board or Livingston Zoning Board of Adjustment, shall be required to reimburse the Township for the cost of inspections by the Township Engineer and any experts and consultants retained by the Township at the hourly rates determined by the Township from time to time and pursuant to N.J.S.A. 40:55D-53.2. The applicant will be required to deposit with the Township, an escrow to be used against the cost incurred in performing inspections. After a final determination has been made as to the application, any unused escrow amounts will be returned to the applicant pursuant to N.J.S.A. 40:55D-53.1, with an itemization of all charges withdrawn from the escrow.

- (1) The escrow will be the greater of \$500 or 5% of the cost of installing the improvements.

Chapter 170: Land Use - Article VII: Fees - 170-52N: Construction Permits

N. Construction permits. Construction permits shall be specified by the Uniform Construction Code in § 110-7A of the Code of the Township of Livingston.

(1) Engineering escrow fee for the new construction of a single-family dwelling (individual unit not part of an approved subdivision consisting of two or more single-family dwellings) for Livingston Township Engineering Department: \$500 deposited initially upon submission of construction permit application. All outstanding charges to be paid prior to the issuance of a Certificate of Occupancy.

(2) Engineering escrow for other construction requiring Township Engineer review (initial escrow deposit which is not part of an approved site plan or subdivision). All outstanding charges to be paid prior to the issuance of a Certificate of Occupancy.

(a) Residential: \$500.

(b) All others: \$500.

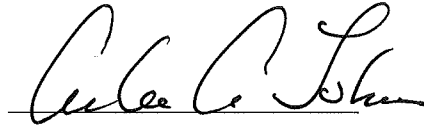
(3) Engineering Certificate of Occupancy Inspections

(a) \$75 for the first inspection

(b) \$25 for each subsequent inspection

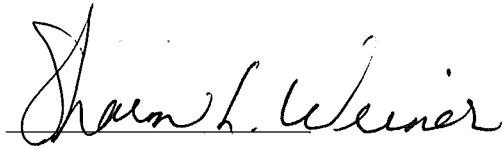
Section 2. Except as hereby amended and supplemented, The General Code of the Township of Livingston shall remain in full force and effect.

Section 3. This Ordinance shall take effect 20 days from final passage in accordance with the law.



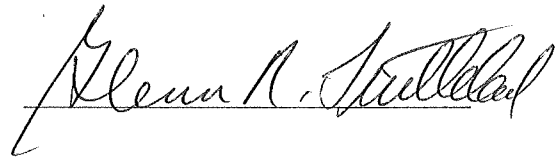
Arlene A. Johnson, Mayor

Approved as to form:



Sharon L. Weiner

Township Attorney



Glenn R. Turteltaub,

Township Clerk

Adopted: 6/7/10