

ORDINANCE NO. 15-2026

AN ORDINANCE OF THE TOWNSHIP OF EAST HANOVER, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING SUBSECTION 68.1 "AFFORDABLE HOUSING DEVELOPMENT FEES" OF ARTICLE V "ZONING", CHAPTER 95 "LAND USE AND ZONING", TO MODIFY THE DEVELOPMENT FEE RELATED TO RESIDENTIAL EXPANSIONS

WHEREAS, the Township of East Hanover filed a Declaratory Judgment Action on January 29, 2025 seeking a certification of compliance with the Fair Housing Act; and

WHEREAS, the Township of East Hanover adopted an updated Development Fee Ordinance on March 2, 2026 via Ordinance 05-2026 in compliance with the regulations; and

WHEREAS, the Township seeks to modify the development fee related to residential expansions.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council that:

SECTION 1. The Township Code, Chapter 95 "Land Use and Zoning", Article VII "Zoning", Subsection 68.1 "Affordable Housing Development Fees" is amended with text for deletion in strikeout and text for insertion underlined.

§95-68.1 **Affordable Housing Development Fees.**

D. Residential development fees.

(2) Eligible exactions, ineligible exactions and exemptions for residential development.

(c) Development fees shall be imposed and collected when an existing structure is expanded by 1,000 or more square feet of livable space. The development fee shall be 0.5% ~~calculated on~~ of the increase in the equalized assessed value of the improved structure.

SECTION 2. If any article, section, subsection, paragraph, phrase, or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 4. This Ordinance shall take effect upon final publication as provided by law.

Attest:


Nicolette J. Calabro, RMC, Township Clerk

TOWNSHIP OF EAST HANOVER

Joseph Pannullo, Mayor

Introduced: July 6, 2026
Adopted: August 3, 2026

I, Nicolette J. Calabro, RMC, Township Clerk of the Township of East Hanover, County of Morris, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Council at a duly convened meeting held on August 3, 2026

Nicolette Calabro

Nicolette J. Calabro, RMC
Township Clerk

