

**KNOWLTON TOWNSHIP
COUNTY OF WARREN
ORDINANCE 2024-07**

**AN ORDINANCE AMENDING VARIOUS PROVISIONS OF CHAPTER 11 OF THE
TOWNSHIP CODE, ENTITLED “LAND DEVELOPMENT”**

WHEREAS, the Township Land Use Board and Township Zoning Officer have recommended various amendments to the Township Code.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Knowlton, in the County of Warren and State of New Jersey, as follows:

SECTION 1. Section 11-282(B) of the Knowlton Township Code, entitled “Regulation of nonconforming uses,” is hereby amended as follows (additions noted in bold italic *thus* and deletions noted in strikethrough ~~thus~~):

B. Regulation of nonconforming uses.

(1) No existing building or structure devoted to a nonconforming use shall be enlarged, extended, reconstructed, substituted or structurally altered except when changed to a conforming use or when required to do so by law and as follows:

(a) Restoration. Any nonconforming use or structure partially damaged by fire, casualty or act of God may be repaired, restored, reconstructed or used as before, provided that the area of such use, building or structure shall not exceed the area which existed prior to such damage. All repairs shall be commenced within one year after damage occurs and shall be completed within two years of such date, or such use shall not be rebuilt except as a conforming use.

(b) Repairs. Normal maintenance and repair of a structure containing a nonconforming use is permitted, provided that it does not extend the area or volume of space occupied by the nonconforming use and does not increase the number of dwelling units.

(c) Reconstruction. When a nonconforming structure or use is totally destroyed or damaged by fire or other casualty or an act of God, the nonconforming structure or use shall thereafter be terminated.

(d) *A residential dwelling which is non-conforming by reason of its intrusion into any required front, side or rear yard setback areas may be enlarged, provided, however that the existing nonconforming setbacks are not further encroached upon.*

(2) Nothing in this chapter shall prevent the strengthening or restoring to a safe or lawful condition any part of any building or structure declared unsafe or unlawful by the Construction Official or other authorized state or township official.

SECTION 2. Section 11-146.1, entitled “Resolution Compliance Review Fees,” is hereby added as follows:

Resolution compliance review fee.

- A. As a condition of any approval granted by the Board, the applicant shall post an additional escrow fee deposit in an amount as follows:
 - 1) For applications requiring site plan approval, a sum not to exceed the greater of \$500 or 175% of the estimate of the Engineer as authorized by N.J.S.A. 40:55D-53.
 - 2) For applications not requiring site plan approval, a sum not to exceed the greater of \$500 or 50% of the estimate of the Engineer as authorized by N.J.S.A. 40:55D-53.
- B. For those developments for which the reasonably anticipated fees are less than \$10,000, fees may, at the option of the applicant, be paid in two installments, and the initial payment deposited by the applicant shall be 50% of the reasonably anticipated fees. When the balance of deposit drops to 10% of the reasonably anticipated fees because the amount deposited by the applicant has been reduced by the amount paid to the Municipal Engineer for inspection, the applicant shall deposit the remaining 50% of the anticipated inspection fees.
- C. For those developments for which the reasonably anticipated fees are \$10,000 or greater, fees may, at the option of the applicant, be paid in four installments. The initial amount deposited by the applicant shall be 25% of the reasonably anticipated fees. When the balance of deposit drops to 10% of the reasonably anticipated fees because the amount deposited by the applicant has been reduced by the amount paid to the Municipal Engineer for inspection, the applicant shall make additional deposits of 25% of the reasonably anticipated fees. The Municipal Engineer shall not perform any inspections if sufficient funds to pay for those inspections are not on deposit.
- D. The resolution compliance fee shall be posted at the time that the plans, which have been revised in accordance with the resolution of approval, are submitted for compliance review. A certificate of occupancy shall not be issued until such fee is posted.

SECTION 3. Section 11-44 of the Code, entitled “Zoning Permits,” is hereby amended by adding the following subsections (D) and (E) as follows:

(D) Requirements for Permit. Any person requesting a zoning permit shall complete a written application on a form prescribed by the municipality. For purposes of N.J.S.A. 40:55D-18, a person shall be deemed to have requested a zoning permit only when each of the following have occurred: (a) the applicant for a zoning permit has completed a written application for a zoning permit on a form prescribed by the municipality, and the said application has been deemed complete by the Zoning Officer or his or her designee; (b) the fee for the zoning permit has been paid to the municipality, (c) the applicant has submitted a Certification from Tax Collector that all taxes and assessments are paid to date, (d) if required, submission of all information set forth in

subsection (B) hereunder, and (e) the applicant has supplied the Zoning Officer with all supporting data reasonably requested by the Zoning Officer.

(E) Application Deemed Complete. Upon the applicant's satisfaction of the requirements of Subsection (D) hereof, the application for a zoning permit shall be deemed complete, and the Zoning Officer shall affix a stamp or other marking on the application indicating: (a) that the application is complete; and (b) the date on which the application was deemed complete. The applicant's failure to submit a complete application or to cooperate with the zoning officers' efforts to evaluate and issue a decision thereon shall constitute grounds for denial of an application.

SECTION 4. Section 11-144, entitled "Fee Schedule," is hereby amended to delete the table entitled "Other Fees and Charges" in its entirety and replace with the following:

Other Fees and Charges	Filing Fee
Copies of minutes of resolutions	\$0.75 per page
Driveway Permit	\$150
Driveway Bond (refundable)	\$1,500
Certified list of property owners	\$10
Subdivision approval certificate	\$25 per certificate
On-site inspections	5% of estimated cost of improvements, \$500 minimum
Zoning Permit – Residential renovations, additions, and accessory structures	\$50.00
Zoning Permit – new residential structures	\$100.00
Zoning Permit –change of use or new business	\$50.00
Zoning Permit – Commercial renovations, additions, and accessory structures	\$100.00
Zoning Permit – new commercial structure	\$100.00

SECTION 5. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 6. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 7. This Ordinance shall take effect after passage and publication in the manner provided by law.

Introduction: September 9, 2024

Motion: Shipps

Second: Cuntala

AIF: Bates- absent, Cuntala- yes, Mazza- absent, Van Horn-yes, Shipps-yes

Adoption: October 7, 2024

Motion: Shipps

Second: Cuntala

Roll Call: Bates-yes, Cuntala-yes, Mazza-yes, Van Horn-yes, Shipps-yes

CERTIFICATION: I hereby certify the foregoing to be a true copy of a resolution adopted by the Township Committee of the Township of Knowlton, Warren County, State of New Jersey at a meeting held on October 7, 2024.

Kailene Molion, Acting Municipal Clerk