

**TOWN OF GUTTENBERG
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE #17-20

AN ORDINANCE OF THE TOWN OF GUTTENBERG AMENDING THE TOWN CODE, CHAPTER II, ADMINISTRATION, ARTICLE VIII, ADMINISTRATIVE POLICIES AND PROCEDURES, SECTION 2-57, AN ORDINANCE AUTHORIZING THE TOWN OF GUTTENBERG TO IMPLEMENT FIVE-YEAR EXEMPTION AND ABATEMENT LAW FOR CONSTRUCTION OF MULTIPLE DWELLINGS WITHIN THE TOWN'S REHABILITATION AREA, SUBSECTION 2-57.4, STATEMENT OF PURPOSE, TO REDUCE THE MINIMUM PROJECT SIZE FROM 12 UNITS TO 10 UNITS

WHEREAS, the Five-Year Exemption and Abatement Law, *N.J.S.A. 40A:21-1 et seq.* (the "Exemption Law") enables municipalities which contain an area that has been designated as an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), to provide for the short term exemption or abatement of local property taxes imposed upon eligible dwellings, commercial and industrial structures within such rehabilitation area; and

WHEREAS, on March 27, 2017, the Town of Guttenberg (the "Town") designated certain properties within its borders as an area in need of rehabilitation in accordance with the Redevelopment Law (the "Rehabilitation Area"); and

WHEREAS, on April 24, 2017, the Town adopted Ordinance 07-2017, authorizing the implementation of the Exemption Law for construction of multiple dwellings containing at least sixteen (16) units within the Rehabilitation Area, which was codified at Section 2-57 of the Town Code; and

WHEREAS, on March 13, 2019, the Town adopted Ordinance #06-19, authorizing the implementation of the Exemption Law for construction of multiple dwellings and amending the minimum number of units to twelve (12) units within the Rehabilitation Area, which was codified at Section 2-57 of the Town Code; and

WHEREAS, the Town believes that improvements to, and the revitalization of, the Rehabilitation Area are of great importance to the Town as a whole, especially as the nation, state and Town address the effects of COVID-19 on the economy and development projects in the Town and that the Exemption Law should be available for multi-family dwellings containing a minimum of ten (10) units; and

WHEREAS, the Town desires to amend Subsection 2-57.4, Statement of Purpose, of the Town Code to reduce the minimum project size from twelve (12) units to ten (10) units,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Guttenberg, County of Hudson, State of New Jersey, as follows:

Section 1. General. The recitals set forth above are incorporated herein as if set forth at length.

Section 2. Chapter II, Administration, Article VIII, Administrative Policies and Procedures, Section 2-57, An Ordinance Authorizing the Town of Guttenberg to Implement Five-Year Exemption and Abatement Law for Construction of Multiple Dwellings within the Town's Rehabilitation Area, Subsection 2-57.4, Statement of Purpose, of the Town Code is hereby amended to read as follows:

2-57.4 Statement of Purpose.

The Town hereby determines to utilize the authority granted under Article VIII, Section I, Paragraph 6 of the New Jersey Constitution to establish the eligibility of certain multiple dwellings for exemptions, as provided in this ordinance and as permitted by the Exemption Law, throughout the Rehabilitation Area. In order to qualify for exemption under this Ordinance any proposed project must contain at least ten (10) dwelling units and complete a Town of Guttenberg – Application for Abatement or Exemption form.

Section 3. Application Submission. In order to qualify for five-year tax exemption, the applicant must submit a Town of Guttenberg - Application for Abatement or Exemption form, which must be deemed complete by the Tax Department, prior to the issuance of any construction permit(s).

Section 4. Limited Qualification. Any application for a five-year tax exemption received 30 days from the final adoption and publication of this Ordinance, which has already received construction permits, **but has not received their final Certificate of Occupancy**, shall be permitted to apply and be considered for the five-year tax exemption, only within this 30-day period. After the 30-day period, no application shall be considered after construction permits have been issued.

Section 5. Prior Actions Amended. On April 24, 2017, the Town adopted Ordinance 07-2017, authorizing certain tax exemptions with respect to residential construction. This ordinance amends Ordinance 07-2017, which otherwise continues in full force and effect.

Section 6. Prior Actions Amended. On March 13, 2019, the Town adopted Ordinance 07-2017, authorizing certain tax exemptions with respect to residential construction. This ordinance amends Ordinance 06-2019, which otherwise continues in full force and effect.

Section 7. This Ordinance shall take effect after adoption, passage and publication according to law.

/S/ Alberto Cabrera
Introduction: 7.27.20
Adoption: 8.24.20