

ORDINANCE NO. 2025-07

ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 20-22.15 ENTITLED “WIRELESS COMMUNICATION TOWERS AND ANTENNAS” OF CHAPTER 20 – ZONING – TO INCLUDE THE POSTING OF A ONE THOUSAND DOLLAR (\$1,000.00) ESCROW FEE FOR PURPOSES OF ELIGIBLE FACILITY REQUEST REVIEW

WHEREAS, the Spectrum Act, codified as 47 U.S.C.A. 1455, limited the authority of state and local governmental units to deny approvals for the collocation of new providers on, or the modification of, existing telecommunications facilities where the proposed modifications do not substantially change the physical dimensions of the existing tower or base station(s); and

WHEREAS, pursuant to the relevant federal law, while the Township is precluded from denying approvals for the collocation or modification of existing telecommunications facilities, the Township nonetheless expends municipal resources to ascertain whether the proposed modifications substantially change the dimensions of the existing tower(s) or base station(s); and

WHEREAS, in order to ensure that the Municipality does not needlessly expend such resources, the Township Committee of the Township of Hope wishes to require the posting of a one-thousand-dollar escrow amount, to compensate the Municipality for the Township Engineer’s review of the proposed modification of the existing telecommunication facilities located in the Township; and

WHEREAS, such Escrow-related requirement will be inserted into Section 20-22-15 – Wireless Communication Towers and Antennas – of Chapter 20 entitled “Zoning;” and

WHEREAS, the Township Committee of the Township of Hope believes that such amendment to Chapter 20 – Zoning – is in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hope, that Section 20-22.15 entitled “Wireless Communication Towers and Antennas” of Chapter 20 – Zoning – be amended and supplemented to require the posting of a one thousand-dollar (\$1,000.00) escrow fee in Cellular Tower Review of application(s) to assess whether such modifications constitute a “substantial change” under federal law, specifically 47 CFR § 1.6100, as follows:

SECTION I:

Additions to this Section shall be delineated by underlined text, thusly.

§ 20-22.15. Wireless Communication Towers and Antennas.

- a. [. . .]

- k. Substantial Modification Review. An Escrow Fee of One Thousand Dollars (\$1,000.00) shall be posted when the wireless telecommunication provider seeks to modify an existing telecommunication facility located in the Township, to assess whether such modifications constitute a “substantial change” under federal law, specifically 47 CFR § 1.6100. This fee shall be used solely to determine whether the proposed modification qualifies as an Eligible Facilities Request under federal law

SECTION II: Repealer.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III: Severability.

If any article, section, subsection, paragraphs, 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 IV: Effective Date.

This Ordinance shall take effect as provided by law.

Motion to Introduce: Mr. Urfer Second: Mr. Kruk

Roll call: Mr. Kruk – yes; Mr. Urfer – yes; Mayor McDonough - yes

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Hope held on October 8, 2025 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on November 12, at 6:00 PM, or as soon thereafter as the Township Committee may hear this Ordinance, at the Municipal Building, 407 Hope-Great Meadows Road, Hope, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Robin L. Keggan
Township Clerk

**ORDINANCE NO. 2025-07
CALENDAR YEAR 2025**

**AN ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE
OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 20-22.15
ENTITLED “WIRELESS COMMUNICATION TOWERS AND ANTENNAS” OF
CHAPTER 20 – ZONING – TO INCLUDE THE POSTING OF A ONE THOUSAND
DOLLAR (\$1,000.00) ESCROW FEE FOR PURPOSES OF ELIGIBLE FACILITY
REQUEST REVIEW**

2025-07 NOTICE IS HEREBY GIVEN that the above-entitled Ordinance was introduced and passed on first reading by the Township Committee of the Township of Hope at a meeting held on the 8th day of October 2025. It was then published in the NJ Herald and after second reading and public hearing it was finally adopted on the 12th day of November 2025 at a meeting of the Township Committee of the Township of Hope held at the Municipal Building, 407 Hope-Great Meadows Road, Hope Township, Warren County, New Jersey.

Robin L. Keggan, RMC
Municipal Clerk