

ORDINANCE OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY

No. MC 3872

Effective Date JULY 10, 2024

Dated JULY 8, 2024

APPROVED AS TO FORM AND LEGALITY ON THE BASIS OF FACTS SET FORTH BY


Legislative Research Officer

COUNCIL MEMBER

BEASLEY

presents the following Ordinance

SECONDED

VICK

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 577, OF THE CODE OF THE TOWNSHIP OF IRVINGTON ENTITLED "TAXATION," ARTICLE I, "TAX ABATEMENT PROCEDURES," SECTION 577-2, "APPLICATION REQUIREMENTS," TO INCLUDE PROVISIONS FOR APPLICATION FEES

WHEREAS, the Municipal Council of the Township of Irvington (the "Municipal Council") has designated certain real property within the Township of Irvington (the "City") as areas in need of redevelopment (together with any properties so designated after the adoption of this Ordinance, the "Redevelopment Areas") pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "**Redevelopment Law**"); and

WHEREAS, to effectuate the Township's aims for encouraging redevelopment of blighted areas and the restoration of deteriorated or neglected property, the Township has granted long-term tax exemptions pursuant to the Long-Term Tax Exemption Law, N.J.S.A. 40A:12A-1 et seq. in exchange for payments in-lieu of ad valorem property taxes pursuant to duly executed financial agreements; and

WHEREAS, the Township seeks a streamlined means of defraying the administrative costs associated with the receipt and processing of required applications for long-term tax exemptions; and

WHEREAS, the Township desires to amend Chapter 577 in order to implement the requirement of a fee to accompany the submission of an application for a long-term tax exemption pursuant to the Redevelopment Law.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON AS FOLLOWS:

Section 1. Chapter 577 of the Code of the Township of Irvington is hereby amended as follows (new language **underlined and bolded**; eliminated language **bolded** and struck through):

§ 577-2 Application Requirements.

Projects shall file an application with the Township that shall include:

- A. A general description of a project for which exemption and abatement is sought;
- B. A legal description of all real estate necessary for the project;
- C. Plans, drawings and other documents as may be required by the governing body to demonstrate the structure and design of the project;
- D. A description of the number, classes and type of employees to be employed at the project site within two years of completion of the project;
- E. A statement of the reasons for seeking tax exemption and abatement on the project, and a description of the benefits to be realized by the applicant if a tax agreement is granted;
- F. **An estimate ~~Estimates~~ of the cost of completing such project certified by a qualified architect or engineer;**
- G. A statement showing;

- (1) The real property taxes currently being assessed at the project site;
 - (2) Estimated tax payments that would be made annually by the applicant on the project during the period of the agreement; and
 - (3) Estimated tax payments that would be made by the applicant on the project during the first full year following the termination of the tax agreement;
- H. If the project is a commercial or industrial structure, a description of any lease agreements between the applicant and proposed users of the project, and a history and description of the users' businesses;
- I. If the project is a multiple dwelling, a description of the number and types of dwelling units to be provided, a description of the common elements or general common elements, and a statement of the proposed initial rentals or sales prices of the dwelling units according to type and of any rental lease or resale restrictions to apply to the dwellings' units respecting low-or moderate-income housing; and
- J. **The payment of an application fee payable as follows:**
(1) Where the cost of completion specified in Paragraph F herein equals \$250,000 or less: 0.5% of the total cost of the improvement.
(2) Where the cost of completion specified in Paragraph F herein is from \$250,001 to \$1,000,000: 1% of the total cost of the improvement.
(3) Where the cost of completion specified in Paragraph F herein is from \$1,000,001 to \$10,000,000: \$12,500.00.
(5) Where the cost of completion specified in Paragraph F exceeds \$10,000,000: \$15,000.00.

~~Such other pertinent information as the governing body may require.~~

K. Such other pertinent information or documentation as the governing body may require.

Section 2. This Ordinance shall take effect immediately.

RECORD OF COUNCIL VOTE

X = Indicates Vote N.V. = No Vote A.B. = Absent X.O.R. = Indicates Vote to Override Veto

COUNCIL MEMBER	YES	NO	N.V.	A.B.	COUNCIL MEMBER	YES	NO	N.V.	A.B.
BROWN	X				DR. HUDLEY, 1 ST VICE PRES.	X			
COX				X	VICK	X			
EVANS				X	BEASLEY, PRESIDENT	X			
DR. FREDERIC, 2 ND VICE PRES.	X								

Ordinance on First Reading Date JUN 24 2024 Council Adopted on Second Reading Date JUL 08 2024
 MAYOR _____ Date 7/10/2024 Approved Rejected _____
 Reconsidered by Council - Override Yes _____ No _____ Date of Override _____

COUNCIL PRESIDENT Samullah Z. Brasley

I hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Municipal Council. In witness whereof I have hereunto set my hand and the Corporate Seal of the Township of Irvington.

MUNICIPAL CLERK Shawna M. Ayers DATE 7/10/2024



RESOLUTION OF THE TOWNSHIP OF IRVINGTON, NEW JERSEY

No. MC 24-0708-57

Date of Adoption JULY 8, 2024

APPROVED AS TO FORM AND LEGALITY ON THE BASIS OF FACTS SET FORTH BY

[Signature]
Legislative Research Officer

PRESENTED BY COUNCIL MEMBER BEASLEY

SECONDED BY VICK

WHEREAS, an ordinance entitled “**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 577 ENTITLED “TAXATION,” ARTICLE I, “TAX ABATEMENT PROCEDURES,” SECTION 577-2, “APPLICATION REQUIREMENTS,” TO INCLUDE PROVISIONS FOR APPLICATION FEES**” was duly passed on first reading by the Municipal Council on JUNE 24, 2024 and duly adopted by the Municipal Council on second reading after public hearing on JULY 8, 2024; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (a) and Section 7-32 (d) of the Revised Code of the Township of Irvington, an ordinance shall take effect twenty (20) days after final passage by the Municipal Council and approval by the Mayor; and

WHEREAS, pursuant to N.J.S.A. 40:69A-181 (b) and Section 7-32 (d) of the Revised Code of the Township of Irvington, two- thirds (2/3) of the full membership of the Municipal Council may declare an emergency, by written resolution, to reduce this twenty (20) day period:

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF IRVINGTON (not less than 2/3 of the full membership thereof affirmatively concurring) that pursuant to the provisions of N.J.S.A. 40:69A-181 (b) and Section 7-32 (d) of the Revised Code of the Township of Irvington, it does hereby declare that an emergency exists that an ordinance entitled “**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 577 ENTITLED “TAXATION,” ARTICLE I, “TAX ABATEMENT PROCEDURES,” SECTION 577-2, “APPLICATION REQUIREMENTS,” TO INCLUDE PROVISIONS FOR APPLICATION FEES**” shall become effective immediately upon its approval by the Mayor.

RECORD OF COUNCIL VOTE

X = Indicates Vote N.V. = No Vote A.B. = Absent

COUNCIL MEMBER	YES	NO	N.V.	A.B.	COUNCIL MEMBER	YES	NO	N.V.	A.B.
BROWN	X				DR. HUDLEY, 1 ST VICE PRES.	X			
COX				X	VICK	X			
EVANS				X	BEASLEY, PRESIDENT	X			
DR. FREDERIC, 2 ND VICE PRES.	X								

PRESIDENT OF COUNCIL

[Signature: Matthew J. Beasley]

I hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Municipal Council. In witness whereof I have hereunto set my hand and the Corporate Seal of the Township of Irvington.

MUNICIPAL CLERK



DATE JULY 8, 2024