

**LEGAL NOTICE**  
**ORDINANCE NO. 11**  
**2024**  
**TOWNSHIP OF WAYNE**  
**COUNTY OF PASSAIC**  
**STATE OF NEW JERSEY**

**AMENDING CHAPTER 134 (LAND DEVELOPMENT),**  
**SECTION 134-10.6 (ENVIRONMENTAL PROTECTION REVIEW FEES)**  
**OF CODE OF THE TOWNSHIP OF WAYNE**

**WHEREAS**, on July 28, 2023, the New Jersey Department of Environmental Protection (NJDEP) implemented new standards for floodplain development;

**WHEREAS**, the new regulations require Floodplain Development Permits that will tract and regulate all construction work within the floodplain; and

**WHEREAS**, the new permits require review of Elevation Certificates, Floodproofing Certificates, Building Permits, as well as, require the Township to track even routine work on any property in the flood zones;

**WHEREAS**, the Township Council seeks to amend the Code to include administrative fees associated with these new mandates.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Wayne in the County of Passaic, State of New Jersey, as follows:

**SECTION 1.** Chapter 134 (Land Development), Article II (Development Administration, Organization and Procedures) of the Code of the Township of Wayne is hereby amended and supplemented to read as follows [additions by **bold**, deletions by ~~strikethrough~~]:

Section 134-10.6 Environmental protection review fees.

**C. Floodplain Development permit fees shall be as follows:**

- (1) **Single Family Residential - non-substantial improvement - \$50**
- (2) **Residential Substantial Damage - \$250**
- (3) **Residential Substantial Improvement or New Construction - \$500**
- (4) **Commercial Substantial Damage, Substantial Improvement or New Construction - \$800**
- (5) **Commercial or Residential Subdivision - \$1000, plus \$300 per building; and**

**SECTION 2:** All other provisions of Chapter 134, Section 10.3 of the Code of the Township of Wayne shall remain unchanged.

**SECTION 3.** Pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64, after introduction of this Ordinance, it shall be referred to the Township of Wayne Planning Board who shall within 45 days review and comment on the proposed revisions contained herein prior to the hearing on adoption of this Ordinance.

**SECTION 4: Severability.** The provisions of this Ordinance are declared to be severable and if any section, sub-section, sentence, clause, phrase, or any other part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the validity of the remaining sections, subsections, sentences, clauses, and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 5: Repeal of Inconsistent Provisions.** All ordinances or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

**SECTION 6: Codification.** This Ordinance shall be a part of the Code of the Township of Wayne as though codified and fully set forth therein. The Township Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Township Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Wayne in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

**SECTION 7.** This ordinance shall take effect twenty (20) days after final passage by Council and approval by the Mayor in the manner prescribed by law at N.J.S.A. 40:69A-181.

ATTEST:

\_\_\_\_\_  
PAUL V. MARGIOTTA  
TOWNSHIP CLERK

\_\_\_\_\_  
JASON DESTEFANO  
PRESIDENT OF THE COUNCIL

**NOTICE**

I hereby certify that the aforementioned ordinance was published in the Herald News, a newspaper published in the County of Passaic and circulated in the Township of Wayne, in the issues of March 13, 2024 and April 10, 2024.

\_\_\_\_\_  
PAUL V. MARGIOTTA  
Township Clerk

This ordinance is hereby  
approved this 4<sup>th</sup> day  
of April 2024.

ADOPTED ON: April 3, 2024

\_\_\_\_\_  
CHRISTOPHER P. VERGANO, Mayor