

BOROUGH OF WOODCLIFF LAKE  
Bergen County, New Jersey

ORDINANCE NO. 20-04

AN ORDINANCE TO AMEND CHAPTER 37 ENTITLED "LAND USE PROCEDURES" OF THE BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, Chapter 37, of the Code of the Borough of Woodcliff Lake sets forth all regulations regarding Land Use Procedures within the Borough of Woodcliff Lake; and

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged. Chapter 37. Land Use Procedures.

Ch. 37-28 Entitled Fees.

A. Fees

|                                                                                                  |            |
|--------------------------------------------------------------------------------------------------|------------|
| Application Fee Residential nonrefundable                                                        | \$100.00   |
| Application Fee Commercial/nonresidential nonrefundable                                          | \$500.00   |
| Application fee-Use variance nonrefundable                                                       | \$500.00   |
| Fee for extension of approval or site plan approval-<br>Nonrefundable: residential               | \$250.00   |
| Fee for extension of approval or site plan approval-<br>Nonrefundable: commercial/nonresidential | \$500.00   |
| Escrow fee deposit – residential                                                                 | \$750.00   |
| Escrow fee for construction of new single-family home                                            | \$900.00   |
| Escrow fee deposit minimum – Use variance                                                        | \$2,500.00 |
| Escrow fee deposit-expansion of non-conforming use                                               | \$1,500.00 |

B. Escrow Fees for all Applications Before the Zoning Board.

Upon receipt of an application requiring professional services, the Board Secretary shall send a copy of the application to the Municipal Engineer and the appropriate professional consultants.

Within seven days of receipt of a copy of the application, said professional consultant shall submit an estimate of the funds sufficient to pay for the technical reviews, reports and other services they deem will be necessary concerning the application. After receipt of such estimated fees, the approving authority shall determine the funds necessary to pay its professional consultants for anticipated services to be rendered concerning the application, and the applicant shall forthwith deposit the required funds with the municipality to be maintained in an escrow account to be used for the payment of professional services rendered to the approving authority by its consultants in the following manner:

(a) the professional consultant shall submit vouchers to the municipality for the services and upon approval of the approving authority, the voucher shall be paid from the applicant's escrow account. The applicant may request of the approving authority copies of vouchers submitted for payment from the applicant's escrow account and may request the opportunity to be heard by the approving authority concerning such vouchers prior to being approved for payment.

(b) the balance remaining in the applicant's escrow account upon final action on the application shall be returned to the applicant.

(c) in the event the funds deposited by the applicant are found to be insufficient to pay the approving authority's professional consultants for their services, the approving authority may require the applicant to deposit additional funds with the municipality for that purpose.

(d) the Board Secretary shall notify the approving authority's professional consultants when the escrow deposits have been made and that they may begin their reviews of the application.

(e) the approving authority shall take no formal action concerning the application unless the application fees and escrow fees have been paid to the municipality.

Ch. 37-29 C. (2) shall be amended as follows:

An application shall not be deemed complete unless the Municipal Engineer of the Board to which the application has been made shall have certified in writing that the application is complete.

**Severability** All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

**Effective Date.** This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.