

52:27D-126d

LEGISLATIVE HISTORY CHECKLIST

**NJSA:** 52:27D-126d (Municipal enforcement agencies-- fees-- permit waiver)

**LAWS OF:** 1989 **CHAPTER:** 68

**BILL NO:** A1796

**SPONSOR(S):** Charles

**Date Introduced:** Pre-filed

**Committee:** **Assembly:** Municipal Government  
**Senate:** County and Municipal Government

**Amended during passage:** No

**Date of Passage:** **Assembly:** February 29, 1989  
**Senate:** March 2, 1989

**Date of Approval:** April 14, 1989

**Following statements are attached if available:**

**Sponsor statement:** Yes

**Committee statement:** **Assembly** Yes  
**Senate** Yes

**Fiscal Note:** No

**Veto Message:** No

**Message on Signing:** No

**Following were printed:**

**Reports:** No

**Hearings:** No

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P.L. 1989, CHAPTER 68. *approved April 14, 1989*  
1988 Assembly No. 1796

1 **AN ACT** concerning construction permit fees and supplementing  
Title 52 of the Revised Statutes.

3

**BE IT ENACTED** by the Senate and General Assembly of the  
5 **State of New Jersey:**

7 1. Notwithstanding the provisions of section 3 of P. L. 1979,  
c. 121 (C. 52:27D-126a), any municipality may, by ordinance,  
9 provide for a waiver of enforcing agency fees for any  
corporation which is (1) organized pursuant to the "New Jersey  
11 Nonprofit Corporation Act," N. J. S. 15A:1-1 et seq. and (2)  
actively engaged in constructing or rehabilitating housing units  
for occupancy by low or moderate income households.

13 For the purposes of this act, "low income household" means a  
household in which the gross household income is equal to 50%  
15 or less of the median gross household income for households of  
the same size within the region in which the housing is located.  
17 "Moderate income household" means a household in which the  
gross household income is equal to more than 50% but less than  
19 80% of the median gross household income for households of the  
same size within the region in which the housing is located.

21 2. This act shall take effect immediately.

23

**MUNICIPAL GOVERNMENT**

25

**Municipal Development**

27 Enables municipalities to waive enforcing agency fees under  
certain circumstances.

**ASSEMBLY, No. 1796**

**STATE OF NEW JERSEY**

**Introduced Pending Technical Review by Legislative Counsel**

**PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION**

**By Assemblyman CHARLES**

1 **AN ACT** concerning construction permit fees and supplementing  
Title 52 of the Revised Statutes.

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State of New Jersey:

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c. 121 (C. 52:27D-126a), any municipality may, by ordinance,  
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11 for occupancy by low or moderate income households.

For the purposes of this act, "low income household" means a  
13 household in which the gross household income is equal to 50%  
or less of the median gross household income for households of  
15 the same size within the region in which the housing is located.  
"Moderate income household" means a household in which the  
17 gross household income is equal to more than 50% but less than  
80% of the median gross household income for households of the  
19 same size within the region in which the housing is located.

2. This act shall take effect immediately.

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**STATEMENT**

25 This bill would enable municipalities to waive enforcing  
agency fees otherwise payable by nonprofit corporations which  
27 are actively engaged in constructing housing units for  
occupancy by low or moderate income households.

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**MUNICIPAL GOVERNMENT**

**Municipal Development**

33

Enables municipalities to waive enforcing agency fees under  
35 certain circumstances.

ASSEMBLY, No. 1796  
STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblyman CHARLES

AN ACT concerning construction permit fees and supplementing Title 52 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Notwithstanding the provisions of section 3 of P. L. 1979, c. 121 (C. 52:27D-126a), any municipality may, by ordinance, provide for a waiver of enforcing agency fees for any corporation which is (1) organized pursuant to the "New Jersey Nonprofit Corporation Act," N. J. S. 15A:1-1 et seq. and (2) actively engaged in constructing or rehabilitating housing units for occupancy by low or moderate income households.

For the purposes of this act, "low income household" means a household in which the gross household income is equal to 50% or less of the median gross household income for households of the same size within the region in which the housing is located. "Moderate income household" means a household in which the gross household income is equal to more than 50% but less than 80% of the median gross household income for households of the same size within the region in which the housing is located.

2. This act shall take effect immediately.

MUNICIPAL GOVERNMENT  
Municipal Development

Enables municipalities to waive enforcing agency fees under certain circumstances.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1796

STATE OF NEW JERSEY

DATED: FEBRUARY 1, 1988

The Assembly Municipal Government Committee favorably reports Assembly Bill No. 1796.

This bill authorizes municipalities to provide by ordinance for a waiver of those fees it may charge certain developers under the "State Uniform Construction Code Act" P.L. 1975, c.217 (C.52:27D-119 et seq.) when the municipality is acting as the agency responsible for enforcing the act. An enforcing agency may charge a fee under current law for plan review, construction permits, certificates of occupancy, demolition permits, and other related permits. In order to qualify for a waiver, a developer must be organized as a nonprofit corporation pursuant to the "New Jersey Nonprofit Corporations Act," (N.J.S. 15A:1-1 et seq.) and must be actively engaged in constructing or rehabilitating low and moderate income housing. The bill's definition of low and moderate income households is the same as the definition set out in the "Fair Housing Act" P.L. 1985, c.222 (C.52:27D-301 et al.).

This bill was pre-filed for introduction in the 1988 session pending technical review. Technical review has been completed and all technical corrections have been made.

SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1796

STATE OF NEW JERSEY

DATED: FEBRUARY 6, 1989

The Senate County and Municipal Government Committee favorably reports Assembly Bill No. 1796.

Assembly Bill No. 1796 authorizes municipalities to provide by ordinance for a waiver of those fees they may charge certain nonprofit corporations under the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) when the municipality is acting as the agency responsible for enforcing the act. An enforcing agency may charge a fee under current law for plan review, construction permits, certificates of occupancy, demolition permits, and other related permits.

Any entity which is organized as a nonprofit corporation pursuant to the "New Jersey Nonprofit Corporations Act," (N.J.S.15A:1-1 et seq.) and is actively engaged in constructing or rehabilitating low and moderate income housing is eligible for the fee waiver authorized by A-1796. The bill's definition of low and moderate income households is the same as the definition set out in the "Fair Housing Act" P.L.1985, c.222 (C.52:27D-301 et al.).