



Borough of Manville
Ordinance # 2023-1293

**An Ordinance By The Borough Of Manville
Amending Ordinance #2021-1269 to Extend the Temporary Waiver
of Certain Construction Permit Fees as a Result of Damage by
Tropical Storm Ida**

Statement of Purpose

The purpose of this Ordinance is to authorize the Borough of Manville to extend the waiver of Construction Permit Fees for Borough residents who suffered damage to electrical, plumbing, hot water, HVAC, and furnace equipment in their homes, as a result of Tropical Storm Ida; this Ordinance only waives the Fees, and not relax or waive the requirement to obtain all necessary permits, inspections and approvals.

WHEREAS, flooding and storm damage occurred in the Borough of Manville from Tropical Storm Ida leaving Borough home owners with damaged electrical, plumbing, hot water, HVAC and furnace equipment in their homes; and

WHEREAS, the Mayor & Council believe it to be in the best interest of the Borough to afford victims of Tropical Storm Ida with emergency relief from the cost of some construction permit fees for repair and recovery efforts from Tropical Storm Ida; and to extend the waiver deadlines previously ordained by Ordinance #2021-1069;

NOW THEREFORE BE IT ORDAINED by the Mayor & Council Body of the Borough of Manville in the County of Somerset and the State of New Jersey, as follows:

SECTION 1: Notwithstanding any other Borough Ordinances or Borough Code to the contrary, all permit fees for the period from September 1, 2021 through December 31, 2023 shall be waived for applicants who were owners of flood damaged homes as of September 1, 2021, for applications at such properties for hot water heater, electrical panel, plumbing, HVAC, furnaces, or related

plumbing or electrical work, shall, upon the signing and filing with the Borough Clerk of a Certification of Flood Damage by the Applicant, subject to verification by Borough staff, certifying (A) that the applicant was the owner of record of the property as of September 21, 2021, and (B) that such construction work is a result of Tropical Storm Ida damage.

SECTION 2: Any resident or applicant who has already paid a permit fee for such work due and paid between September 1, 2021 and the Effective Date of this adopted Ordinance, shall, upon the signing and filing with the Borough Clerk of a Certification of Flood Damage by the Applicant certifying that such construction work is a result of Tropical Storm Ida damage, be issued a refund for any such fees due and paid on or after September 1, 2021 and on or before December 31, 2023.

SECTION 3: This Ordinance does **NOT** relax any requirements to apply for and obtain all required construction permits, inspections and approvals; the intent of this Ordinance is only to waive the fees, and there is no relaxation or waiver of the requirement to obtain all necessary permits, inspections and approvals.

SECTION 4: All other Fees for matters other than hot water heater, electrical panel, plumbing, HVAC, furnaces, and related electrical work, are NOT waived by this Ordinance, and shall remain in full force and effect, including but not limited to fees for Zoning, Fire Safety inspections, Fire Safety, home sales, and housing inspections.

SECTION 5. The Mayor, Borough Administrator, and Borough Clerk are hereby authorized and directed to take such steps as are necessary to effectuate the purposes of this Ordinance.

SECTION 6: Repealer. Any prior Ordinance of the Borough of Manville, or any article, section, paragraph, subsection, clause, or other provision of any such prior Ordinance, which is inconsistent with the provisions of this Ordinance, is hereby repealed, or temporarily repealed as applicable, to the extent of such inconsistency.

SECTION 7: Severability. In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by any Court of competent jurisdiction, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective; such holding shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

SECTION 8: Inconsistency with other Ordinances. Should any provision of this ordinance be inconsistent with the provisions of any other prior ordinances, or shall be inconsistent with any article, section, paragraph, subsection, clause, or other provision of any prior ordinances, the inconsistent

