

ORDINANCE NO. 18-2012

AN ORDINANCE PROVIDING FOR THE PARTIAL AMENDMENT, SUPPLEMENTATION AND REPEAL OF CERTAIN FEES SET FORTH IN THE FEE SCHEDULE OF THE BOROUGH OF MORRIS PLAINS, CHAPTER 2, SECTION 2-46, IN THE "REVISED ORDINANCES OF THE BOROUGH OF MORRIS PLAINS, NEW JERSEY, 1972" AND AMENDING SECTION 19-7 OF CHAPTER 19, ENTITLED "SOIL DISTURBANCE, CONSISTENT THEREWITH.

WHEREAS, municipalities are permitted to fix fees as prescribed by law or, under N.J.S.A. 40:48-1(4), for any service rendered by any officer or employee of the municipality in connection with his office or position, for which no specific fee is provided; and

WHEREAS, Chapter 2, Section 2-46, entitled "FEE SCHEDULE," of the Revised Ordinances provides that the Borough Council shall update and amend the Fee Schedule as needed; and

WHEREAS, the Borough Council is desirous of amending certain fees and establishing certain new fees, all as set forth in the Fee Schedule.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Morris Plains, they being the Governing Body thereof, as follows:

Section 1:

The FEE SCHEDULE of the Borough of Morris Plains set forth in Chapter 2, Section 2-46 of the aforesaid Revised Ordinances is hereby supplemented and revised with the repeal of the following fees:

FEE SCHEDULE

Specific Provisions	Type of Fees, Charges or Rates	Fee
Chapter 16, Parks and Recreation Area		
16-2	Recreation fees	

		Early Registration From March 1 through May 31	From June 1
	(e) Summer camp, per child	\$160.00	\$210.00
16-8	Community Park pool fees	From March 1st through May 15	From May 16
	(a) Residents		
	(1) Family [parent(s) and Child(ren)]	\$335.00	\$365.00
	(2) Couple (husband and wife)	\$240.00	\$270.00
	(3) Single (11 years old and over)	\$190.00	\$220.00
	(4) Senior citizen (62 years old and over)		
	(i) Single	\$ 75.00	\$105.00
	(ii) Couple	\$ 95.00	\$125.00
	(c) Swim team member, residents only, per child	\$130.00	\$130.00

Chapter 19, Soil Removal

19-9	Application fee	\$ 100.00	
	Escrow review fee	\$1,000.00 or 5% of the total cost of the soil disturbance, whichever is greater	
	Permit fee, per cubic yard of Soil proposed to be disturbed, Calculated by the Borough Engineer	\$0.10, minimum fee of \$100.00	
19-11	(a) For inspection of the land and review of application prior to consideration by the Borough Council	\$250.00	
	In addition, per 1,000 cubic yards	\$10.00	
	For issuance of a permit, including inspection	\$100.00	
	In addition, per 1,000 cubic yards	\$5.00	

Chapter 21, Taxi and Limousines

21-11	Taxi owner's license fee, for each Vehicle, per calendar year	\$150.00
21-16	Taxi driver's license fee, per year	\$150.00
21-29	Limousine owner's license fee, for each vehicle licensed, per calendar year	\$250.00

Section 2:

The FEE SCHEDULE of the Borough of Morris Plains set forth in Chapter 2, Section 2-46 of the aforesaid Revised Ordinances is hereby amended and supplemented with the following increased and/or new fees:

FEE SCHEDULE

Specific Provisions	Type of Fees, Charges or Rates	Fee		
Chapter 16, Parks and Recreation Areas				
16-2	Recreation fees	Early Registration from March 1 through May 15	From May 16	
	(e) Summer camp, per child	\$165.00	\$225.00	
16-8	Community Park pool fees	From March 1st through June 5th	From June 6th	New Residents After August 1st
(a)	Residents			
	(1) Family [parent(s) & child(ren)]	\$340.00	\$370.00	\$185.00
	(2) Couple (Husband & wife)	\$245.00	\$275.00	\$140.00
	(3) Single (11 years old & over)	\$190.00	\$220.00	\$110.00
	(4) Senior citizen (62 years old and over)			
	(iii) Single	\$ 80.00	\$110.00	\$ 55.00
	(iv) Couple	\$100.00	\$130.00	\$ 65.00
	(5) Babysitter (with couple or family membership)	\$115.00	\$145.00	\$ 75.00
(c)	Swim team pool membership,	\$140.00	\$140.00	

residents only,
per child

Chapter 19, Soil Disturbance

19-9	A.	For Soil Removal Applications from 50 to 150 Cubic Yards For Existing Residential Uses:	
		Application fee	\$ 100.00
		Escrow review fee	\$ 500.00
		Permit fee	\$ 50.00
	B.	For All Other Soil Removal Applications:	
		Application fee	\$ 100.00
		Escrow review fee	\$1,000.00 or 5% of the total cost of the soil disturbance, whichever is greater
		Permit fee, per cubic yard of soil proposed to be disturbed, calculated by the Borough Engineer	\$0.10, minimum fee of \$100.00
19-11	A.	For Soil Removal Applications from 50 to 150 Cubic Yards For Existing Residential Uses:	
		1) For inspection of the land and review of application prior to consideration by the Borough Council	\$250.00
		2) For issuance of a permit, including inspection	\$100.00
	B.	For All Other Soil Removal Applications:	
		1) For inspection of the land and review of application prior to consideration by the Borough Council	\$250.00
		In addition, per 1,000 cubic yards	\$10.00
		2) For issuance of a permit, including inspection	\$100.00
		In addition, per 1,000 cubic yards	\$5.00

Chapter 21, Taxicab and Limousines

21-11	Taxi owner's license fee, for each Vehicle licensed, per calendar year	\$50.00
21-16	Taxicab driver's license fee, per year	\$50.00
21-29	Limousine owner's license fee, for each vehicle licensed, per calendar year	\$50.00

Section 3:

Section 19-7, "Bond or letter of credit required," in Chapter 19, Soil Disturbance is hereby partially amended, supplemented and revised by deleting paragraph (b), which reads as follows:

(b) In no event shall the performance bond or letter of credit be in an amount less than \$1 per cubic yard of proposed disturbance or \$1,000, whichever is greater.

and inserting the following new paragraph (b) in its place and stead:

(b) For soil removal applications for existing residential uses from 50 to 150 Cubic Yards, the minimum performance bond or letter of credit shall be \$500.00. For all other soil removal applications, in no event shall the performance bond or letter of credit be in an amount less than \$1 per cubic yard of proposed disturbance or \$1,000, whichever is greater.

Section 4:

All other provisions of the aforesaid FEE SCHEDULE, Chapter 2, and Chapter 19, Soil Disturbance, of the Revised Ordinances shall be unaffected and are hereby continued.

Section 5:

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 6:

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid by a Court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this

Ordinance.

Section 7:

This Ordinance shall take effect immediately after final passage and publication.

Introduced: 12/6/12
Adopted: 12/20/12

Frank J. Druetzler, Mayor