

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 1 OF THE  
BOROUGH CODE TO ESTABLISH ARTICLE IV – PAYMENT OF TAXES  
REQUIRED**

**WHEREAS**, in order to ensure that the property taxes are current on properties that will directly or indirectly benefit from a permit or discretionary act on behalf of the Borough of Spring Lake it is necessary for the Code of the Borough of Spring Lake to be amended.

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Spring Lake in the County of Monmouth, State of New Jersey as follows:

**Section 1:**

Chapter 1 entitled "General Provisions" of the Code of the Borough of Spring Lake is hereby amended and supplemented as follows:

Chapter 1 General Provisions Article IV Payment of Taxes § 1-24 Payment of Taxes Required

A. Prior to the issuance of any permit or the taking of any discretionary act by the Borough Council, the Planning Board or other Borough Official, the Official shall ascertain the status of real property tax and assessment payments for the property which will directly or indirectly benefit from the permit or discretionary act from the Tax Collector. The Borough Council and Planning Board shall include in any resolution adopted authorizing the taking of any such discretionary act a condition that, prior to the execution of any permit, license or endorsement or the performance of any other discretionary act, a certification be received from the Tax Collector that all real property taxes and assessments pertaining to the property directly or indirectly benefited by the discretionary act are current and that no real property taxes or assessments and water/sewer charges are then due and owing.

B. No Borough official or employee shall issue any permit or license, execute any endorsement on a permit, license or application or perform any other discretionary act on behalf of the Borough until such time as the employee or official has received certification from the Tax Collector that all real property taxes and assessments pertaining to the property directly or indirectly benefited by the discretionary act are current and that no real property taxes or assessments or water/sewer charges are then due and owing.

**Section 2:**

All other provisions of Chapter 1 not amended or replaced herein remain in full force and effect.

**Section 3.**

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**Section 4.**

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**Section 5.**

This Ordinance shall take effect on upon passage and publication in accordance with applicable law.

INTRODUCED: 11/10/09

~~ADOPTED:~~

Not Approved 12/8/09

APPROVED: \_\_\_\_\_  
JENNIFER NAUGHTON, Mayor

Attest:

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JANE L. GILLESPIE, BOROUGH CLERK

Not Adopted