

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 225,
ARTICLE IX, SECTION 46 OF THE BOROUGH CODE, TO ESTABLISH A
PROVISION FOR THE REFUND OF APPLICATION FEES**

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

Section 1:

Chapter 225 entitled "Land Development" of the Code of the Borough of Spring Lake is hereby amended as follows:

**ARTICLE IX, Fees, Guaranties and Inspections
§ 225-46. Fees.**

New section "I" added:

I. Application Refunds.

1. Should an application be withdrawn after commencement of completeness review, the applicant will be responsible for any and all planning and engineering fees accrued to date. The Planning Board Secretary shall submit a recommendation based on the amount of work completed to the Mayor and Borough Council for action.
2. Escrow Moneys. Applicable to above, will be refunded in accordance with the Municipal Land Use Law less any professional fees owing to date within thirty (30) days of written application of withdrawal.

Section 2:

All other provisions of Chapter 225 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Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and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:

ADOPTED:

Not Adopted

APPROVED: _____

JENNIFER NAUGHTON, Mayor

Attest:

Public Notice

Please take notice that an Ordinance entitled:

Ordinance No. 2009-022 – AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 225, ARTICLE IX, SECTION 46 OF THE BOROUGH CODE, TO ESTABLISH A PROVISION FOR THE REFUND OF APPLICATION FEES

was introduced and passed on first reading by the Mayor and Borough Council of the Borough of Spring Lake at a meeting held on November 10, 2009 and following the Public Hearing held on December 22, 2009 said Ordinance was **NOT APPROVED**.

JANE L. GILLESPIE
BOROUGH CLERK