

*****ADOPTED OCTOBER 5, 2009*****

DELANCO TOWNSHIP

ORDINANCE 2009-14

**AMENDING CHAPTER 168
GOVERNING "FEES"**

WHEREAS, the Township Committee of the Township of Delanco ("Township") has expended funds and will continue to expend funds for the distribution of recycling and/or solid waste containers; and

WHEREAS, the Township desires to establish a reimbursement fee to cover the cost of the replacement of these containers; and

WHEREAS, Chapter 168 of the Township Code governs "Fees."

NOW , THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Delanco, County of Burlington, State of New Jersey that Chapter 168 is hereby amended to add the following:

Section 1.

ARTICLE IV

Reimbursement Fee for Recycling/Solid Waste Containers

§ 168-7. Fee Established.

There shall be a reimbursement fee imposed upon any property owner that requires the replacement of a municipally-issued container for recycling or solid waste purposes. The fee shall be the current cost of replacement to the municipality and a \$5.00 administration charge. Upon the payment of the fee, a new container shall be issued. The Township may either deliver the container or make it available to the property owner at the Public Works building or any other location established by the Director of Public Works.

§ 168-8. Inspection.

As part of the Township's inspection process pursuant to Certificates of Habitability under Chapter 145 of this Code, rental inspections under Chapter 234 of this Code, or upon general inspection by the zoning and code enforcement officer, the inspector shall be authorized to issue a notice of the imposition of the reimbursement fee established herein. No Certificate of Habitability or rental inspection approval shall issue until the fee established herein is paid.

§ 168-9. Exceptional Circumstances.

In the event of theft or similar exceptional circumstance, the Township Committee may waive the fee required hereunder by way of motion at a public meeting.

Section 2. Repealer. Any Ordinances inconsistent with this ordinance is hereby repealed to the extent of its inconsistency.

Section 3. Severability. If any provision of this Ordinance is deemed unlawful by a Court is found to be contrary to law by a court of competent jurisdiction, such provision shall be of no force or effect; but the remainder of this Agreement shall continue in full force and effect.

Section 4. Effective date. This Ordinance shall take effect upon proper passage in accordance with the law.