

*****ADOPTED APRIL 2, 2007*****

**TOWNSHIP OF DELANCO
ORDINANCE 2007-6**

**AN ORDINANCE AMENDING CHAPTER 50 OF
THE CODE OF THE TOWNSHIP OF DELANCO
ENTITLED "LAND USE PROCEDURES"**

WHEREAS, certain residential neighborhoods are governed by homeowner associations which have by-laws requiring association approval prior to change in the physical appearance of the property; and

WHEREAS, in such neighborhoods, the homeowner association has legal authority to enforce its by-laws and/or Declaration of Covenants and Restrictions; and

WHEREAS, it is logical that approval be granted by the association before the Township issue a construction permit for said improvements so that the Township effectively utilizes its time, energy and resources reviewing plans, issuing permits and making inspections for improvements when said improvement may be prohibited by the homeowner associations; and

WHEREAS, the Township has reviewed Chapter 50 of the Code of the Township of Delanco entitled "Land Use Procedures"; and

WHEREAS, the Township is desirous of making changes to said Chapter to strengthen the code and the process by which residents of neighborhoods with homeowner associations apply for permit,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Township Committee of the Township of Delanco, does hereby amend Chapter 50, Section 42 of the Code of the Township of Delanco by adding the following sentence to the end of the first paragraph:

"No zoning permit shall be issued nor application to the Joint Land Use Board be deemed complete, when the property that is the subject of the permit or application is subject to the covenants and restrictions of a homeowners association, without first obtaining written approval from the association permitting those improvements which require zoning approval."