

**ORDINANCE NO. 15-2010**

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF TOWNSHIP OF HARRISON,  
COUNTY OF GLOUCESTER, STATE OF NEW JERSEY AMENDING CHAPTER 110  
ENTITLED "FEES" OF THE CODE OF THE TOWNSHIP OF HARRISON (TAX IMPACT  
FEES)**

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**WHEREAS**, on or about May 7, 1990, the Mayor and Committee of the Township of Harrison adopted Ordinance No. 04-1990 entitled "Tax Map Impact Fees"; and

**WHEREAS**, subsequently, on or about April 1, 2005, in a case entitled Builders League of South Jersey v. Borough of Glassboro, bearing Docket No. GLO-L-1429-04, the Honorable G. Thomas Bowen, J.S.C. held that the imposition of a Tax Map Impact Fee is not authorized or enabled by the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq.; accordingly, such municipal ordinances are not permitted; and

**WHEREAS**, it is in the best interests of the residents of the Township of Harrison that the Mayor and Committee repeal §110-1.6 entitled "Tax Map Impact Fee".

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

**Section 1.**

§110-1.6 entitled "Tax Map Impact Fee" is hereby repealed and deleted.

**Section 2.**

**Severability.**

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**Section 3.**

**Repealer.**

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

**When effective.**

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

**TOWNSHIP OF HARRISON**

**BY: \_\_\_\_\_  
NIKI A. TRUNK, MAYOR**

**ATTEST:**

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**DIANE L. MALLOY, Municipal Clerk**

## **NOTICE**

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Harrison, in the County of Gloucester and State of New Jersey, held on June 7, 2010. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Township's Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062, in the Township, on June 21, 2010, at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at the Municipal Building, 114 Bridgeton Pike, in the Township, to the members of the general public who shall request the same.

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DIANE L. MALLOY  
Municipal Clerk