

LEGAL NOTICE

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MUNICIPAL ORDINANCES**

NOTICE OF INTRODUCTION

NOTICE IS HEREBY GIVEN, that the following Ordinance was submitted in writing at a Meeting of the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris and State of New Jersey, held on **September 3, 2019** introduced and passed on first reading and the governing body will further consider the same for second reading and final passage thereof at a Meeting to be held on **October 1, 2019** at 7:00 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township at which time and place a Public Hearing will be held thereon by the governing body, and all persons and citizens in interest shall have an opportunity to be heard concerning same. A copy of this ordinance has been posted on the Bulletin Board in the Municipal Building. During the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

KHALED MADIN
Township Clerk

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY**

ORDINANCE NO. 2019:62

AN ORDINANCE IMPLEMENTING THE TOWNSHIP'S THIRD ROUND HOUSING PLAN ELEMENT AND FAIR SHARE PLAN CONSISTENT WITH THE TERMS OF A SETTLEMENT AGREEMENT REACHED BETWEEN THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND THE FAIR SHARE HOUSING CENTER IN ACCORDANCE WITH THE NEW JERSEY FAIR HOUSING ACT, AND RELEVANT REGULATIONS AND POLICIES ADOPTED BY THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING.

WHEREAS, the Township of Parsippany-Troy Hills ("Township") filed a Mt. Laurel declaratory judgment action in the Superior Court of New Jersey, Law-Division bearing the caption In the Matter of the Township of Application of the Township of Parsippany-Troy Hills, Docket No. MRS-L-169-15 following the New Jersey Supreme Court's decision in Mt. Laurel IV; and

WHEREAS, the Township entered into a Settlement Agreement with Fair Share Housing Center on or about March 19, 2019 establishing the Township's Third Round affordable housing obligation for the period 1999-2025 and the compliance mechanisms by

which the Township will meet its constitutional obligation to provide for its fair share of affordable housing; and

WHEREAS, the Court entered an order on July 24, 2019 approving the Settlement Agreement by and between the Township and Fair Share Housing Center finding on a preliminary basis that the Settlement Agreement is fair to very-low, low and moderate-income households; and

WHEREAS, the Court Order approving the Settlement Agreement requires the Township to adopt an affordable housing ordinance incorporating the requirements of the Fair Housing Act and its implementing regulations including the Uniform Housing Affordability Controls into the Township code;

WHEREAS, the Township Council finds it is in the best interest of the Township to implement the terms and conditions of the Settlement Agreement and the requirements of the Court's order approving the Settlement Agreement.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, and State of New Jersey that Chapter 4 of the Township Code, entitled "Administration of Government" Section 4-43.2 is repealed in its entirety and replaced by a new Section 4-43.2 entitled "Establishment; Township Housing Liaison" which reads as follows:

Section 1. §4-43.2 Establishment; Township Housing Liaison.

- A. For purposes of this section, the following terms shall have the meanings indicated:

MUNICIPAL HOUSING LIAISON

The employee charged by the governing body with responsibility for oversight and administration of the affordable housing program for the Township.

- B. There is hereby established the position of Municipal Housing Liaison, pursuant to the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et seq. The Municipal Housing Liaison shall be appointed by Council and shall be responsible for the administration of the Township's affordable housing program, including affordability controls, the Affirmative Marketing Plan, monitoring and reporting, and, where applicable, supervising any contracted Administrative Agent, as well as the enforcement of the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et seq. and Chapter 225, Articles XIV and XV and Chapter 430-of this Township Code.
- C. Subject to the approval of the Court or Council on Affordable Housing (COAH), the Municipal Housing Liaison shall be appointed by the governing body and may be a full- or part-time municipal employee. The Municipal Housing Liaison shall be reported to the Superior Court and thereafter posted on the Township website, and shall be duly qualified through a training program sponsored by Affordable Housing Professionals of New Jersey before assuming the duties of Municipal Housing Liaison.

- D. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Township, including the following responsibilities which may not be contracted out to the Administrative Agent:
- (1) Serving as the Township's primary point of contact for all inquiries from the state, affordable housing providers, administrative agents, and interested households;
 - (2) The implementation of the Affirmative Marketing Plan and affordability controls;
 - (3) When applicable, supervising any contracting Administrative Agent;
 - (4) Monitoring the status of all restricted units in the Township's Fair Share Plan;
 - (5) Compiling, verifying, and submitting annual reports as required by COAH;
 - (6) Coordinating meetings with affordable housing providers and administrative agents, as applicable; and
 - (7) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Affordable Housing Professionals of New Jersey (AHPNJ), if such continuing education opportunities are made available by COAH or the DCA..
- E. Subject to approval by COAH or the Court, Parsippany-Troy Hills shall designate one of more Administrative Agent(s) to administer and affirmatively market the affordable units constructed in the Township in accordance with UHAC and this Section. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of the Court. The Operating Manual(s) shall be available for public inspection in the office of the Township Clerk, in the office of the Municipal Housing Liaison, and in the office(s) of the Administrative Agent(s). The Municipal Housing Liaison shall supervise the contracting Administrative Agent(s).
- F. Compensation. Compensation shall be fixed by the governing body at the time of the appointment of the Municipal Housing Liaison.

Section 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township if Parsippany-Troy Hills, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township if Parsippany-Troy Hills are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 4. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Morris County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 5. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Parsippany-Troy Hills for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 6. This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 7. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.