

Intro: 12/15/14
Adopted: 12/29/14

**TOWNSHIP OF FAIRFIELD
ORDINANCE #2014-17**

**AN ORDINANCE AMENDING THE TOWNSHIP CODE OF
THE TOWNSHIP OF FAIRFIELD SO AS TO AMEND
CHAPTER 45, ARTICLE 14, SECTION 45-74A.3,
ENTITLED "AFFORDABLE HOUSING PROGRAMS"**

WHEREAS, the Township has instituted an Accessory Apartment Program ("Program"), which provides funds to assist qualifying owners of a principal structure in the Township to create an accessory apartment of at least 300 square feet for low- to moderate-income households; and

WHEREAS, the Township previously enacted Compliance with Affordable Housing Obligations, Chapter 45, Article 14, Section 45-74A et seq., establishing policies and procedures for the implementation of the Program, which is designed to aid in creating accessory apartments; and

WHEREAS, it has come to the Governing Body's attention that the Ordinance did not specify where accessory apartments are permitted; and

WHEREAS, the Governing Body finds that accessory apartments work well with existing residential and commercial uses, even when located in industrial zones; provided there are no industrial uses being conducted on site.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Township Council of the Township of Fairfield, County of Essex, State of New Jersey, as follows:

SECTION 1. Chapter 45, Article 9, Section 45-74A.3, entitled "Affordable Housing Programs", of the Township Code of the Township of Fairfield is hereby amended as follows:

§ 45-74A.3 Affordable Housing Programs.

...

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b. *An Accessory Apartment Program.*

1. All accessory apartments shall meet the following conditions:

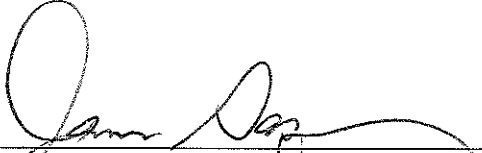
- (a) Provided the units are affordable to low- and moderate-income households, Accessory apartments are shall be permitted by the Zoning Ordinance for various zoning districts in all Residential and Commercial Zones, and shall be conditionally permitted in all Industrial Zones provided the accessory apartment is located on a property with a residential and/or commercial use and further provided that the property is not used for any industrial purpose., provided the units are affordable to low- and moderate income households.

...

SECTION 2. This ordinance shall take effect after second reading and publication as required by law and the filing of the adopted ordinance with the Essex County Planning Board.


SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.



JAMES W. GASPARINI
Mayor

ATTEST:



DENISE D. CAFONE
Municipal Clerk

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Adopted: 12/29/14

NOTICE

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on December 15, 2014, introduced and read by title and passed first reading, and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on December 29, 2014 at 7:30 p.m. at the Municipal Building, 230 Fairfield Road, Fairfield, New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

DENISE D. CAFONE
Municipal Clerk

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INTRODUCTION OF ORDINANCE – December 15, 2014: ORDINANCE #2014-17, AN ORDINANCE AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF FAIRFIELD SO AS TO AMEND CHAPTER 45, ARTICLE 14, SECTION 45-74A.3, ENTITLED “AFFORDABLE HOUSING PROGRAMS”

INTRODUCED BY: Councilman McGlynn
SECONDED BY: Council President LaForgia
PUBLISHED: December 18, 2014

ROLL CALL VOTE

| GOVERNING BODY | AYES | NAYS | ABSTAIN | ABSENT | NO VOTE |
|------------------------------------|------|------|---------|--------|---------|
| COUNCIL PRESIDENT JOHN LAFORGIA | X | | | | |
| COUNCILMAN MICHAEL B. MCGLYNN | X | | | | |
| COUNCILMAN JOSEPH CIFELLI | X | | | | |
| COUNCILMAN THOMAS J. MORGAN | | | | X | |
| MAYOR JAMES GASPARINI | X | | | | |

2ND READING AND PUBLIC HEARING - December 29, 2014

INTRODUCED BY: Councilman McGlynn
SECONDED BY: Councilman Cifelli
PUBLISHED: January 8, 2015

ROLL CALL VOTE

| GOVERNING BODY | AYES | NAYS | ABSTAIN | ABSENT | NO VOTE |
|------------------------------------|------|------|---------|--------|---------|
| COUNCIL PRESIDENT JOHN LAFORGIA | X | | | | |
| COUNCILMAN MICHAEL B. MCGLYNN | X | | | | |
| COUNCILMAN JOSEPH CIFELLI | X | | | | |
| COUNCILMAN THOMAS J. MORGAN | X | | | | |
| MAYOR JAMES GASPARINI | X | | | | |