

**ORDINANCE NO. 42-2019**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY ESTABLISHING A NEW CHAPTER 200 UNDER PART II: GENERAL LEGISLATION OF THE CODE OF THE TOWNSHIP OF HANOVER TO BE ENTITLED "FUNDING RECEIVED FROM FINANCIAL AGREEMENTS RELATED TO REDEVELOPMENT PROJECTS AND FINANCIAL AGREEMENTS PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ. AND ALSO KNOWN AS PAYMENT IN LIEU OF TAXES OR PILOT" WHICH SHALL BE DEDICATED TO TAXPAYER RELIEF**

**WHEREAS**, in order to revitalize areas of the Township and meet its affordable housing obligations, the Township Committee of the Township of Hanover has designated certain areas in need of redevelopment in accordance with the Local Redevelopment and Housing Law at N.J.S.A. 40A:12a-1; and

**WHEREAS**, the governing body seeks to promote economic development, infrastructure improvements and overall redevelopment of the Township to encourage affordable housing, re-planning, development and redevelopment, the conservation and rehabilitation of structures and improvements, and the construction and provision for construction of residential, commercial, industrial, public or other structures as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds and other purposes including recreational and other facilities incidental thereto in accordance with a development plan; and

**WHEREAS**, the governing body may enter into financial agreements permissible under the law and known as "Payment in Lieu of Taxes" from such qualifying property owners and developers in the Township; and

**WHEREAS**, the Township Committee desires that funding received from such redevelopment sources be specifically dedicated to the overall reduction of municipal taxes paid by the residents and property owners of the Township of Hanover and the contribution of such tax ratables be distributed to the Hanover public schools and the applicable fire district as if the properties were not part of a Payment In Lieu of Taxes agreement.

**NOW THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

**Section 1.** A new Chapter 200 entitled Funding Received From Financial Agreements Related to Redevelopment Projects and Financial Agreements Pursuant to N.J.S.A. 40A:20-1 et seq. And Also Known as Payment in Lieu of Taxes or PILOT is hereby established as Chapter 200 under Part II: General Legislation of the Code of the Township of Hanover as follows:

**Section 2. §200-1.** When the Township enters into a Financial Agreement for the purposes of redevelopment pursuant to N.J.S.A. 40A:20-1 et seq., the payments in lieu of taxes that are received by the Township, i.e. PILOT, shall be dedicated as follows:

Hanover Township	35%
Hanover Township Board of Education (occurs by law and levy set by the County of Morris)	37%
Regional School	19%
Fire District	4%
County of Morris	5%

**Section 3. §200-2.** The Township Committee shall take necessary action on an annual basis and coordinate with the local Board of Education, Fire District and Regional Board of Education to effectuate the distribution of such PILOT payments.

**Section 4. §200-3.** This ordinance shall not apply to any PILOT agreement if it relates solely to the development of senior housing.

**Section 5. §200-4.** This ordinance shall not apply to any PILOT adopted prior to January 1, 2019.

**Section 6.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.


**Section 7.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 8.** This ordinance shall take effect in accordance with the law.

TOWNSHIP COMMITTEE  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

ATTEST:

  
Joseph A. Giorgio, Township Clerk

  
Ronald F. Francioli, Mayor

DATE OF INTRODUCTION: October 10, 2019

DATE OF ADOPTION: November 14, 2019