



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE O-25-21

AMENDING CHAPTER 21 “ZONING AND LAND USE REGULATIONS”, PART VI “FEE SCHEDULE”, ARTICLE XXIII “FEES”, SECTION 21-107 “SCHEDULE ESTABLISHED” AND SECTION 21-108 “ESCROW ACCOUNTS AND TECHNICAL REVIEW FEES” OF THE CODE OF THE BOROUGH OF HIGHLANDS

WHEREAS, Chapter 21, Sections 21-107 and 21-108 of the Borough Code establish a schedule of fees for the various applications for development and other matters that are subject to this Chapter; and

WHEREAS, it is in the best interest of the Borough to update its current fee schedule; and

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Highlands as follows:

SECTION I.

Section 21-107 “Schedule Established” shall be deleted in its entirety and replaced with the following:

§21-107 SCHEDULE ESTABLISHED

- A. The following Schedule of Fees is established for the various applications for development and other matters, which are the subject of this chapter. These fees shall be nonrefundable and are for the purpose of offsetting Borough administrative, clerical and meeting costs. Applications requiring a combination of approvals, such as subdivision, site plan and/or variances shall require a fee equal to the sum of the individual fees for each element of the application. Escrow deposits for professional consultants, such as legal, planning, engineering, or other professional fees, costs and expenses, shall also be required in accordance with the herein Schedule of Fees and any additional requirements in Section 21-108. All fees and escrow deposits required in Section 21-107 and Section 21-108 shall be paid prior to the certification of a complete application.
- B. Each such application for development shall be accompanied by payment of a fee to the municipality as follows:

Application	Application Fee	Plus	Escrow Account
SUBDIVISIONS			
Minor	\$500		\$600 per lot
Major (Preliminary Approval)	\$750		\$750 per lot
Major (Final Approval)	\$500		\$400 per lot
Resubmission of Incomplete Application	\$500		None Required
Concept Plan (Escrow charges to be credited toward development application)	\$400		\$750
Modifications and/or amendments	\$500		\$500
SITE PLANS			
Preliminary Site Plan	\$750		\$0.25 per square foot being disturbed, provided a minimum of \$1,250 shall be deposited. For sites containing steep slopes greater than twenty (20%) percent an additional \$1,000 shall be deposited.

Application		Application Fee	Plus	Escrow Account
Final Site Plan	\$500	\$0.25 per square foot being disturbed, provided a minimum of \$1,250 shall be deposited. For sites containing steep slopes greater than twenty (20%) percent an additional \$1,000 shall be deposited.		
Concept Plan (Escrow charges to be credited toward development application)	\$400	\$750		
Waived Site Plan	\$500	\$500		
Resubmission of Incomplete Application	\$500	None required		
Modifications and/or amendments	\$500	\$500		
VARIANCES				
Appeal (40:55D-70a)				
Residential	\$250	\$400		
Non-Residential	\$250	\$500		
Sign	\$75	None required		
Interpretation (40:55D-70b)				
Residential	\$250	\$400		
Non-Residential	\$250	\$500		
Bulk Variance (40:55D-70c)				
Residential	\$400	\$400 per variance		
Non-Residential	\$500	\$600 per variance		
Use Variance (40:55D-70d)	\$750	\$2,000		
Sign Variance (40:55D-70c or d)	\$75	\$250		
CONDITIONAL USE				
Residential	\$400	\$500		
Non-Residential	\$500	\$750		
ZONING				
Rezoning Requests/Zone Changes	\$1,500	\$2,500		

- C. Where one application for development includes several approval requests, the sum of the individual required fees shall be paid.
- D. Each applicant for subdivision or site plan approval shall agree, in writing, to pay all reasonable costs for professional review of the application and for inspection of the improvements. All such costs for review and inspection must be paid before any approved plat plan or deed is signed or any construction permit is issued, and all remaining costs must be paid in full before any occupancy of the premises is permitted or certificate of occupancy issued.
- E. If an applicant desires a court reporter, the cost for taking testimony and transcribing it and providing a copy of the transcript to the Borough shall be at the expense of the applicant, who shall arrange for the reporter's attendance.

SECTION II.

Borough Code Chapter 21 “Zoning and Land Use Regulations”, Part VI “Fee Schedule”, Article XXIII “Fees”, Section 21-108 “Escrow Accounts and Technical Review Fees” be amended as follows: (All additions are shown in **bold italics with underlines**. The deletions are shown as ~~strikeovers in bold italics~~):

§21-108 ESCROW ACCOUNTS AND TECHNICAL REVIEW FEES

A. Escrow Accounts.

1. In addition to the above general nonrefundable fees for each application filed, the applicant shall reimburse the Borough for all professional or technical review fees deemed necessary or desirable by the Board, and shall establish an escrow fund with the Borough Treasurer to pay such fees or charges. The escrow fund shall be utilized to reimburse the Borough for all costs, which are reasonable and related to the review of such application.

2. As part of the application submission, the applicant shall be required to make a deposit to the escrow account in an amount provided for in ~~paragraph B below~~ **the Schedule of Fees found in Section 21-107**. If the amount posted is not sufficient to cover the Borough's professional charges associated with the application, the Board shall request additional funds.

3. After approval of an application and prior to the start of construction, the applicant shall be required to deposit with the Borough Clerk engineering inspection escrow fees to provide for anticipated inspection and any additional professional review services in accordance with paragraph ~~C~~ **B** below.

4. Additional escrow funds, equal to twenty-five (25%) percent of the applicable escrow fee, will be required upon submission of a revised plan for review by Board professionals.

5. Additional escrow funds shall be required when the balance of any escrow account reaches twenty (20%) percent of the initial deposit. The Borough shall notify the applicant who shall be requested to deposit up to thirty-five (35%) percent of the original escrow account. No further consideration, review, processing or inspection shall take place until the additional escrow has been paid.

6. For escrow deposits over five thousand (\$5,000.00) dollars, the procedures under N.J.S.A. 40:55D-53.1 shall prevail.

7. At the applicant's written request and at his cost, an account of the expenses or fees paid by him for professional services shall be provided. Borough professional shall submit vouchers for all services to be assessed against an escrow account, which vouchers shall state the hours spent, the hourly rate and the expenses incurred.

8. Any unexpended monies remaining after the completion of the project and maintenance period shall be returned to the applicant.

~~**B. Escrow Deposits for Professional and Technical Review. The initial deposit of escrow funds for technical and professional review of an application shall be in an amount equal to double the application fee, but not less than seven hundred fifty (\$750.00) dollars.**~~

~~**C. B.**~~ Escrow Deposit for Inspection. Prior to the start of construction, the applicant shall post engineering inspection fees determined in accordance with the provisions of N.J.S.A. 40:55D-53h and 53.4. Inspection fees shall be five (5%) percent of the cost of improvements, with a minimum of five hundred (\$500.00) dollars.

SECTION III. SEVERABILITY. If any 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, which shall otherwise remain in full force and effect.

SECTION IV. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION V. EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

First Reading and Set Hearing Date for O-25-21:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk’s Office.

DATE OF VOTE: August 20, 2025

Nancy Tran, Municipal Clerk
Borough of Highlands

Public Hearing for O-25-21:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Ordinance on file in the Municipal Clerk’s Office.

DATE OF VOTE: September 3, 2025

Carolyn Broullon, Mayor

Nancy Tran, Municipal Clerk
Borough of Highlands