

**BOROUGH OF MANASQUAN
ORDINANCE NO. 1935-04**

AN ORDINANCE SUPPLEMENTING AND AMENDING
CHAPTER 35 (ZONING) OF THE MUNICIPAL CODE TO
ESTABLISH RULES, REGULATIONS AND
REQUIREMENTS FOR THE AFFIRMATIVE MARKETING
OF AFFORDABLE HOUSING IN THE BOROUGH OF
MANASQUAN, MONMOUTH COUNTY, NEW JERSEY.

BE IT ORDAINED, by the Borough Council of the Borough of Manasquan, in
the County of Monmouth and State of New Jersey, as follows:

SECTION 1. Purpose. The purpose of this ordinance is to adopt affirmative
marketing regulations for affordable housing for new and rehabilitated residential
housing units in the Borough Manasquan in accordance with the Housing Plan and
Fair Share Plan for Affordable Housing and New Jersey Council on Affordable
Housing Rules pertaining to affordable housing units.

SECTION 2. A new Section entitled "Affirmative Marketing for Affordable
Housing " is established as follows:

AFFIRMATIVE MARKETING FOR AFFORDABLE HOUSING

A. The Borough of Manasquan ("Manasquan") has a fair share obligation as
determined by the Council on Affordable Housing of one-hundred seventy five
(175) affordable units of which twenty-six (26) are rehabilitation units. The
remaining obligation of one-hundred forty-nine (149) affordable units has been
adjusted to zero (0) due to lack of available land. Manasquan has established
Affordable Housing Overlay Zones where multifamily housing with inclusionary
affordable housing units are permitted if the properties or tracts are
redeveloped. This ordinance will apply to all such developments that will
contain proposed low and moderate-income units that are listed below and
any future developments that may occur.

B. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of sex, age or number of children, to housing units that are being marketed by a developer/sponsor, Manasquan and/or designated administrative agency of affordable housing. The plan addresses the requirements of the Council on Affordable Housing in N.J.A.C. 5:93-11. In addition, the plan prohibits discrimination in the sale, rental, financing or other services related to housing on the basis of race, color, sex, religion, handicap, age, familial status/size or national origin. Manasquan is in Housing Region 4, Central Housing Region consisting of Monmouth, Ocean and Mercer Counties. The affirmative marketing program is a continuing program and will meet the following requirements:

1. All newspaper articles, announcements and requests for applications for low and moderate income units will appear in the following daily newspapers/publications:
 - (a) Coast Star – Manasquan
 - (b) Asbury Park Press – Asbury Park

C. The primary marketing will take the form of at least one press release sent to the above publications and a paid display advertisement in each of the above newspapers. Additional advertising and publicity will be on an "as needed" basis.

D. The advertisement will include the:

- (1) Street address
- (2) Directions to housing units;
- (3) Number of bedrooms per unit;
- (4) Range of selling prices/rents;
- (5) Size of units
- (6) Household income limits and
- (7) Location of applications including business hours and where/how applications may be obtained.

E. The following is the location where applications, brochure(s), sign(s), and/or poster(s) used as part of the affirmative marketing program including specific employment centers within the region will be placed:

- (1) Manasquan Borough Hall
- (2) Manasquan Public Library
- (3) Developer's sales/rental office on site

F. The following is a list of community contact person(s) and/or organization(s) in Monmouth, Ocean and Mercer counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region:

New Jersey Affordable Housing Services
New Jersey Department of Community Affairs
PO Box 802
101 South Broad Street
Trenton, NJ 08625-0802 Telephone: 609-292-9795

New Jersey Housing Assistance Services Field Office - Monmouth
116 Chestnut Street
Suite 101
Red Bank, NJ 07701 Telephone: 732-741-0339

Monmouth County Community Development Program
Hall of Records Annex, 2nd Floor
One East Main Street
Freehold, NJ 07728 Telephone: 732-431-7490

Ocean County Planning Board-Community Development Program
129 Hooper Avenue-First Floor
PO Box 2191
Toms River, NJ 08754-2191 Telephone: 732-929-2054

Mercer County Housing and Community Development
McDade Administration Building
640 South Broad Street
P.O. Box 8068
Trenton, NJ 08650-0068 Telephone: 609-989-6858

Applications will be mailed to prospective applicants upon request.

Additionally, applications will be sent to the chief administrative employees of each of the following agencies in the counties of Monmouth, Ocean and Mercer:

Office on Aging
Community Development and Housing Agency
County Library
Area Community Action Agencies

G. The following is a description of the random selection method that will be used to select occupants of low and moderate-income housing:

H. Manasquan is ultimately responsible for administering the Affirmative Marketing Program. Manasquan has delegated this responsibility to the New Jersey Housing Assistance Services which will income qualify low and moderate income households; place income eligible households in low and moderate income units upon initial occupancy; provide for the initial occupancy of low and moderate income units with income qualified households; continue to qualify households for reoccupancy of units as they become vacant during the period of affordability controls; assist with advertising and outreach to low and moderate income households if in contract; and enforce the terms of the deed restriction and mortgage loan in accordance with N.J.A.C. 5:93-9. The Municipal Administrator within Manasquan is the designated Housing Officer to act as liaison to the New Jersey Housing Assistance Service. The Housing Assistance Service will provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, responsibilities of homeownership, rental lease requirements and landlord/tenant law.

I. Households who live or work in the COAH-established housing region may be given preference for sales and rental units constructed within that housing region. Applicants living outside the housing region will have an equal opportunity for units after regional applicants have been initially serviced. Manasquan intends to comply with N.J.A.C. 5:93-11.7.

J. Developers of low and moderate-income housing units may assist in the marketing of the affordable units in their respective developments if so designated by Manasquan.

K. The marketing program will commence at least one hundred twenty (120) days before the issuance of either temporary or permanent certificates of occupancy. The marketing program will continue until all low and moderate-income housing units are initially occupied and for as long as affordable units are deed restricted and occupancy or reoccupancy of units continues to be necessary.

L. The Municipal Administrator will comply with monitoring and reporting requirements in accordance with N.J.A.C. 5:93-11.6 and 12.1.

SECTION 3. If any parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.


SECTION 4. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 35 of the Code of the Borough of Manasquan not inconsistent herewith are ratified and confirmed.

SECTION 5. This Ordinance shall become effective immediately following its final passage and publication as required by law, and filing with the Monmouth County Planning Board.

SECTION 6. Following adoption, copies of this Ordinance shall be filed with the Council on Affordable Housing, Municipal Administrator, Zoning Officer, Construction Official, Planning Board, Municipal Engineer, Planning Board Engineer, Municipal Attorney, Planning Board Attorney, and Municipal Affordable Housing Consultants.


NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that Ordinance No. 1935-04 was introduced at a meeting of the Mayor and Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey, on the 6th day of December, 2004, and was then read for the first time. The said Ordinance will be further considered for final passage by the Mayor and Council at Borough Hall at 8:00 p.m. on the 20th day of December, 2004. At such time and place, or at any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said Ordinance.


COLLEEN SCIMECA, RMC, CMC
Municipal Clerk

KENNETH B. FITZSIMMONS
Municipal Attorney
501 Trenton Avenue
Point Pleasant Beach, NJ 08742

APPROVED: December 20, 2004


RICHARD DUNNE
Mayor

First Reading and Introduction: December 6, 2004
Passed on First Reading: December 6, 2004
Second Reading and Final Hearing: December 20, 2004