

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-2-2018-002

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
ESTABLISHING INCOME LIMITS, RESALE PRICES AND RENT LEVELS FOR
AFFORDABLE HOUSING**

WHEREAS, the Township’s Affordable Housing Ordinance contemplates the establishment of income limits, resale prices and rent levels by COAH or a successor entity; and

WHEREAS, COAH has not published income limits or rent increases since 2014 and no successor entity has been approved by the Court; and

WHEREAS, in the absence of COAH published limits the Township must annually update its income limits and rent increases by applying COAH’s established process to the median income determined by HUD for the ensuing fiscal year;

NOW, THEREFORE, BE IT ORDAINED THAT CHAPTER 131 BE AMENDED AS FOLLOWS:

§ 131–2. Definitions

The following terms, as used in this Ordinance, shall have the following meanings:

“Median Income” means the annual determination of median income as published by HUD.

“Regional Asset Limit” means the limit calculated pursuant to § 131-19A(3).

Add the following defined term:

“Regional Income Limit” means the limit calculated pursuant to § 131-19A(1) and (2).

§ 131A–19. Establishment of Annual Income Limits, Resale Prices and Rent Levels

A. Income limits for all units that are part of Monroe Township’s Housing Element and Fair Share Plan and for which income limits are not already established through a federal program exempted from the Uniform Housing Affordability controls pursuant to N.J.A.C. 5:80-26.1 shall be updated by Monroe Township annually with 60 days of the publication of determinations of median income by HUD as follows:

1. Regional income limits shall be established for the region that Monroe Township is located within, based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in Monroe Township’s housing region. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income for a very low-income unit for a household of four shall be 30 percent of the regional weighted average median income for

a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.

2. The income limits are the result of applying the percentages set forth in paragraph (1) above to HUD's determination of median income for FY 2016, and shall be utilized until Monroe Township updates the income limits after HUD has published revised determinations of median income for the next fiscal year.
3. The Regional Asset Limited used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3 shall be calculated by Monroe Township annually by taking the percentage increase of the income limits calculated pursuant to paragraph (1) above over the previous year's income limits, and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the Regional Asset Limit be less than that for the previous year.

B. In establishing sale prices and rents of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC, utilizing the regional income limits established pursuant to the process defined above.

1. The resale prices of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region determined pursuant to the process outlined above. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
2. The rent levels of very-low-, low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price index for the Northeast Urban Area, upon its publication for the prior calendar year. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low income housing tax credit regulations shall be indexed pursuant to the regulations governing low income housing tax credits.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 3. If any section, subdivision, sentence, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED as aforesaid.

STEPHEN DALINA, Council President

RECORDED VOTE – INTRODUCTION – February 5, 2018						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin	X		X			
Councilwoman Cohen						X
Councilman Dipierro			X			
Council V. President Schneider		X	X			
Council President Dalina			X			

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Monroe Township Council held on February 5, 2018. Said Ordinance will again be read and considered for final passage at the next scheduled meeting of the Monroe Township Council to be held on March 5, 2018 at 7:00 p.m. at the Monroe Township Municipal Building, 1 Municipal Plaza, Monroe Township, New Jersey 08831. At said time and place all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.



PATRICIA REID, Township Clerk

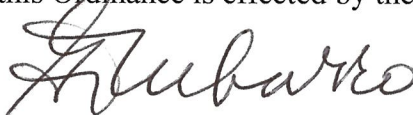
RECORDED VOTE – SECOND READING & FINAL ADOPTION– March 5, 2018						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilwoman Cohen			X			
Councilman Dipierro		X	X			
Council V. President Schneider	X		X			
Council President Dalina			X			

ORDINANCE NO. O-2-2018-002

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
ESTABLISHING INCOME LIMITS, RESALE PRICES AND RENT LEVELS FOR
AFFORDABLE HOUSING**

MAYORAL APPROVAL

By virtue of the Optional Municipal Charter Law of 1950 and Chapter 3, Section 19 of the Code of the Township of Monroe, my approval of this Ordinance is effected by the affixing of my signature hereto.



GERALD W. TAMBURRO, Mayor

Date signed: 3/6/18