

TOWNSHIP OF HAINESPORT

ORDINANCE NO. 2012-8-9

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF HAINESPORT, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 104, DEVELOPMENT ORDINANCE, SO AS TO ADD NEW SECTION 104-65.1 ENTITLED “DOWN PAYMENT ASSISTANCE PROGRAM”.

An Ordinance to amend Chapter 104 of the Code of the Township of Hainesport, Development Ordinance, so as to add new Section 104-65.1 entitled “Down Payment Assistance Program”.

BE IT ORDAINED by the Township Committee of the Township of Hainesport, County of Burlington, State of New Jersey as follows:

SECTION 1.

Chapter 104, Development Ordinance, is amended so as to add new Section 104-65.1 entitled “Down Payment Assistance Program”, as follows:

§104-65.1. Down Payment Assistance Program

- A. There is established a Down Payment Assistance Program, funded by developer fees, payable only from the Township’s Housing Trust Fund and administered through the Township of Hainesport affordable housing program, for purchasers who seek to purchase low- or moderate-income units as part of said Program. The low or moderate units that are being purchased under this Program must be in full compliance with all Uniform Housing Affordability Controls (“UHAC”) regulations and the rules adopted by the New Jersey Council on Affordable Housing (“COAH”). Prospective homeowners will not receive direct funds. The assistance dollars will be supplied to the appropriate entity/entities. The Down Payment Assistance Program is initially funded with \$92,000 from the Township’s Affordable Housing Trust Fund, which amount may be modified by Resolution of the Township Committee. Hainesport Township Down Payment Assistance Grant is not available to those individuals or households that have been awarded down payment and/or closing cost assistance grants and/or loans from any other governmental sources including, but not limited to, Burlington County’s First-Time Homebuyer Program.
- (1) Purchasers seeking a Down Payment Assistance Grant through this Program must make Application to the Hainesport Township Affordable Housing Liaison (“Housing Liaison”). The Down Payment Assistance shall be a grant, as necessary to allow the Applicant to qualify for a mortgage, up to a maximum amount of fifteen thousand dollars (\$15,000) per applicant. The availability of

funding is contingent upon the sufficiency of funds allocated to this Program by the Township and funds in the Township's Housing Trust Fund. Approval of a grant shall be as documented in a Resolution adopted by the Township Council of the Township of Hainesport in a form substantially similar to Appendix "A" hereto. Funding of the Grant Program shall automatically cease should prior grants that have been made reach the amount reserved to fund the Program in the Township's COAH-approved Trust Account Spending Plan. A copy of the Grant Application is attached as Appendix "B" and can be obtained by applicants from the Housing Liaison or may be downloaded from the Hainesport Township website. The Housing Liaison maintains an office in the Hainesport Township Municipal Building, 1401 Marne Highway, NJ 08036 [609-267-2730] and may be reached during regular business hours.

- (2) The contents and terms, conditions and obligations of all Appendix exhibits are incorporated by reference herein as if set forth herein at length.
- (3) Qualification and eligibility for this Program:
 - (a) Individuals/households must make an Application with the Housing Liaison and be pre-certified, meaning that applicant demonstrates to the reasonable satisfaction of the Housing Liaison that there is a very high likelihood that with the receipt of the grant provided herein the applicant will be able to pay all of the required expenses related to owning their affordable home.
 - (b) Qualified individuals/households must have incomes not exceeding low or moderate income guidelines as applicable for Burlington County per the New Jersey Fair Housing Act as periodically published and updated by the New Jersey Department of Community Affairs.
 - (c) The home that is being purchased must be an affordable unit that is being marketed for sale by the Township's Administrative Agent. Applicants must contact the Administrative Agent to ascertain the location and cost of all affordable units that are currently on the market. Applicants may do so prior to securing written confirmation from the Township that a down payment assistance grant will be made available to them.
 - (d) The home/unit to be purchased must meet HUD Housing Quality Standards as documented in a HUD-compliant Home Inspection Report.
 - (e) Applicants must be deemed credit worthy by the Housing Liaison and the amount of the principal of the first purchase money mortgage must not exceed 3 times the applicant's gross annual income. By submitting a Grant Application, Applicants automatically consent to allowing the Housing Liaison to run a "credit report" and securing employment verification. Applicants are responsible for paying for the "credit report".

- (f) All grant recipients must occupy the property as their principal residence and own no other real estate.
- (g) All grant recipients must attend a pre-purchase homebuyer education class administered by a HUD-certified housing counseling agency prior to closing on an affordable housing unit. The Housing Liaison will supply Applicants with a list of HUD-certified counseling agencies in the area and Applicants may select the counseling agency that they wish to use. A Certificate of Completion from the HUD-certified housing counseling agency must be presented to the Housing Liaison before funds will be provided for down-payment assistance. The cost of this counseling will be deducted from the grant down payment assistance amount.
- (h) If the Township Council determines that an Applicant qualifies for the grant of up to \$15,000.00, the Township Council will adopt a Resolution in the form of Appendix "A" which will be supplied by the Housing Liaison to the Administrative Agent as evidence that the deposit is available.
- (i) If awarded a grant the funds will be made available by the Township at closing to the appropriate title company and/or attorney trust account.
- (j) The Township's Affordable Housing Administrative Agent handles and administers the sale and purchase of affordable housing units in Hainesport. The grant award will expire if the applicant does not execute an Agreement to purchase an affordable unit within six (6) months of the date of the Resolution confirming the grant award and will expire immediately if the Administrative Agent determines that the applicant fails to qualify to purchase the affordable unit under applicable governmental regulations or due to inability to secure first purchase money mortgage financing.
- (k) Individuals and/or households purchasing affordable homes shall only be permitted to receive one (1) down payment assistance grant. A down payment assistance grant through the Hainesport Program is not available to individuals and/or households that have been awarded down payment and/or closing cost assistance grants/loans from any other governmental sources, including but not limited to, Burlington County's First-Time Homebuyer Program.

SECTION 2.

If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION 3.

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 4.

This ordinance shall take effect immediately upon adoption and publication according to law.

**HAINESPORT TOWNSHIP
ORDINANCE NO. 2012-8-9**

NOTICE OF PUBLIC HEARING

**AN ORDINANCE AMENDING THE CODE
OF THE TOWNSHIP OF HAINESPORT, COUNTY OF
BURLINGTON, STATE OF NEW JERSEY, MORE
PARTICULARLY CHAPTER 104, DEVELOPMENT ORDINANCE,
SO AS TO ADD NEW SECTION 104-65.1 ENTITLED “DOWN
PAYMENT ASSISTANCE PROGRAM”.**

The ordinance published herewith was introduced and passed upon first reading at a regular meeting of the Township Committee of the Township of Hainesport held on August 14, 2012. It will be further considered for final passage after a public hearing at the regular meeting to be held on September 11, 2012 at the Municipal Building, One Hainesport Centre, Hainesport, New Jersey at 7:30 P.M. at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

Dated:

Paul J. Tuliano, Jr.
Township Administrator/Clerk

	Motion	Second	Ayes	Nays	Abstention	Absent
Boettcher		X	X			
Porto			X			
Fitzpatrick			X			
Dickinson			X			
MacLachlan	X		X			

**HAINESPORT TOWNSHIP
ORDINANCE NO. 2012-8-9**

NOTICE OF FINAL PASSAGE

**AN ORDINANCE AMENDING THE CODE
OF THE TOWNSHIP OF HAINESPORT, COUNTY OF
BURLINGTON, STATE OF NEW JERSEY, MORE
PARTICULARLY CHAPTER 104, DEVELOPMENT ORDINANCE,
SO AS TO ADD NEW SECTION 104-65.1 ENTITLED “DOWN
PAYMENT ASSISTANCE PROGRAM”.**

Notice is hereby given that Ordinance 2012-8-9 as entitled above has been finally adopted on final reading by the governing body of Hainesport Township after a public hearing at a meeting held on September 11, 2012. Said Ordinance shall take effect in accordance with law.

ATTEST:

Dated: _____

Paul J. Tuliano, Jr.
Township Administrator/Clerk

ACKNOWLEDGEMENT OF
APPROVAL BY:

Dated: _____

Anthony Porto, II
Mayor of Hainesport Township

	Motion	Second	Ayes	Nays	Abstention	Absent
Boettcher			X			
Porto			X			
Fitzpatrick		X	X			
Dickinson			X			
MacLachlan	X		X			

Introduced: August 14, 2012
First Publication: August 29, 2012
Adoption: September 11, 2012
Final Publication: September 14, 2012