

**Chapter 225**

**TAXATION**

**ARTICLE I**

**Tax Exemption for Improvements to Residential Dwellings More Than 20 Years Old**

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**[HISTORY: Adopted by the Mayor and Council of the Borough of Wood-Ridge as indicated in article histories. Amendments noted where applicable.]**

**ARTICLE I**

**Tax Exemption for Improvements to Residential Dwellings More Than 20 Years Old  
[Adopted 3-10-1998 by Ord. No. 98-3]**

**§ 225-1. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**AREA IN NEED OF REHABILITATION** — A portion or all of a municipality which has been determined to be an

area in need of rehabilitation or redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., a blighted area as determined pursuant to the Blighted Areas Act, N.J.S.A. 40:55-21.1 et seq.,<sup>1</sup> or which has been determined to be in need of rehabilitation pursuant to N.J.S.A. 54:4-3.72 et seq., 54:4-3.95 et seq. or 54:4-3.121 et seq.<sup>2</sup>

**ASSESSOR** — The officer of a taxing district charged with the duty of assessing real property for the purpose of general taxation.

**COMPLETION** — Substantially ready for the intended use for which a building or structure is constructed, improved or converted.

**CONDOMINIUM** — Property created or recorded as a condominium pursuant to the Condominium Act, N.J.S.A. 46:8B-1 et seq.

**COOPERATIVE** — A housing corporation or association wherein the holder of a share or membership interest thereof is entitled to possess and occupy, for dwelling purposes, a house, apartment or other unit of housing owned by the corporation or association or to purchase a unit of housing owned by the corporation or association.

**DWELLING** — A building or part of a building used, to be used or held for use of a home or residence, including accessory building located on the same premises, together with the land upon which the building or buildings are erected and which may be necessary for the fair enjoyment thereof but shall not mean any building or part of a building, defined as a "multiple dwelling" pursuant to the Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A-1 et seq. A dwelling shall include, as they are separately conveyed to individual owners,

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<sup>1</sup> Editor's Note: N.J.S.A. 40:55-21.1 et seq. was repealed by L. 1992, c. 79, § 59. See now N.J.S.A. 40A:12A-1 et seq.

<sup>2</sup> Editor's Note: N.J.S.A. 54:4-3.72 et seq. and 54:4-3.95 et seq. were repealed by L. 1991, c. 441, § 22, and N.J.S.A. 54:4-3.12 et seq. was repealed by L. 1951, c. 184, p. 685, § 12.

individual residences within a cooperative, if purchased separately by the occupants thereof, and individual residences within a horizontal property or regime or a condominium but shall not include “general common elements” or “common elements” or such horizontal property regime or condominium as defined pursuant to the Horizontal Property Act, N.J.S.A. 46:8A-1 et seq., or the Condominium Act, N.J.S.A. 46:8B-1 et seq., or the cooperative, if the residential units are owned separately.

**EXEMPTION** — That portion of the Assessor’s full and true value of any improvement, conversion, alteration or construction not regarded as increasing the taxable value of a property pursuant to this Act.

**HORIZONTAL PROPERTY REGIME** — A property submitted to a horizontal property regime pursuant to the Horizontal Property Act, N.J.S.A. 46:8A-1 et seq.

**IMPROVEMENT** — A modernization, rehabilitation, renovation, alteration or repair which produces a physical change in an existing building or structure that improves the safety, sanitation, decency or attractiveness of the building or structure as a place for human habitation or work and which does not change its permitted use. In no case shall it include repair of fire or other casualty damage to a property for which payment of a claim was received by any person from an insurance company at any time during the three-year period immediately preceding the filing of an application pursuant to this Act.

**§ 225-2. Area in need of rehabilitation designated.**

The entire Borough of Wood-Ridge is hereby designated as an area in need of rehabilitation and in which one- and two-family dwelling units may be eligible for tax exemption pursuant to this article.

**§ 225-3. Ineligibility.**

No exemption shall be granted pursuant to this article with respect to any property for which property taxes are delinquent or remain unpaid or for which penalties for nonpayment of taxes are due.

**§ 225-4. Application procedure.**

The following procedure shall govern applications for tax exemptions for improvements within the Borough of Wood-Ridge:

- A. An application for an exemption for improvements as set forth in this article shall be made to the Assessor upon a form approved by the Mayor and Council and the Assessor.
- B. Every application for exemption shall be filed with the Assessor within 30 days, including Saturdays and Sundays, following the completion of the improvement, conversion, alteration or construction.
- C. Every application for exemption, or exemption and abatement, which is filed within the time specified shall be approved and allowed by the Assessor to the degree that the application is consistent with the provisions of this article, provided that the improvement qualifies as an improvement pursuant to the provisions of N.J.S.A. 40A:21-1 et seq.
- D. The granting of an exemption, or exemption and abatement, shall be recorded and made part of the official tax records of the taxing district, which records shall contain a notice of the termination date thereof.

**§ 225-5. Application requirements.**

Applicants for tax exemption on dwellings shall provide to the Mayor, the Borough Council and the Assessor an application setting forth:

- A. A general description of the dwelling for which the exemption is sought.
- B. The legal description of all real estate necessary for the dwelling.
- C. Plans, drawings and other documents as may be required by the Mayor, the Borough Council and/or the Assessor to demonstrate the structure and design of the dwelling.
- D. Estimates of the cost of completing such dwelling.
- E. A statement showing:
  - (1) The real estate property taxes currently being assessed at the dwelling site.
  - (2) The estimated tax payments that would be made by the applicant on the dwelling during the first full year following the termination of the tax exemption.
- F. A description of any lease agreements that would be made by the applicant on the dwelling during the first full year following the termination of the tax exemption.
- G. Such other pertinent information as the Mayor, the Borough Council and/or Assessor may require.

**§ 225-6. Applicability.**

- A. This article shall affect dwelling units primarily and directly affected by a home improvement in any single- or two-family dwelling property more than 20 years old.
- B. The first \$25,000 in the Assessor's full and true value of home improvements for each dwelling unit primarily and directly affected by a home improvement shall not be regarded as increasing the value of such property for a period of five years.
- C. During the five-year exemption period, the assessment on said dwelling shall in no case be less than the assessment immediately prior to improvement, except in

the case of damage through action of the elements sufficient to warrant a reduction.

- D. This article shall apply only to an improvement made pursuant to a building permit lawfully applied for and issued prior to the improvement being made.

**§ 225-7. Notice to taxpayers.**

Pursuant to N.J.S.A. 40A:21-20, notice of the adoption of this article shall be included in the mailing of annual property tax bills to each owner of a dwelling located in the Borough of Wood-Ridge during the first year following adoption of this article.

**§ 225-8. Applicability of other laws.**

Any such exemption authorized pursuant to this article shall be approved and determined in accordance with the provisions of N.J.S.A. 40A:21-1 et seq. and any applicable rules and regulations promulgated by the Commissioner of the Department of Community Affairs.