



Township of Delaware  
Ordinance No. 2026-02

AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 230 "LAND USE" OF THE CODE OF THE TOWNSHIP OF DELAWARE, ARTICLE III "ZONE REGULATIONS", TO AMEND SECTION 230-12 W, ENTITLED "ACCESSORY APARTMENTS" TO NOTE REQUIRED TOWNSHIP SUBSIDY

WHEREAS, the Township of Delaware has prepared a fourth round affordable housing compliance plan that relies on a durational adjustment of its affordable housing obligation based on a lack of sewer capacity; and

WHEREAS, in order to make the accessory apartment program more attractive by noting subsidy required under the Fair Housing Act, the Township wishes to amend the regulations to specifically identify available subsidies.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Delaware, in the County of Hunterdon and State of New Jersey, that Chapter 230, Article III of the Code of the Township of Delaware, §230-12 is hereby amended to include new Section 230-12.W(7), to read as follows:

(7) Township subsidy.

(a) The Township of Delaware shall provide a minimum of \$25,000 per unit to subsidize the creation of each moderate income accessory apartment or \$30,000 to subsidize the creation of each low income accessory apartment. Subsidy may be used to fund actual construction costs and/or to provide compensation for reduced rental rates.

**Severability**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Effective Date**

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

ATTEST:

Diana Ramage  
Diana Ramage  
Township Clerk

James Waltman  
James Waltman  
Mayor

Ordinance 2026-02 Introduction – roll call vote						
Township Committee	Motion	Second	Yes	No	Abstain	Absent
Chad Bower			X			
Luke Hanson			X			
Charles Herman	X		X			
Susan Lockwood		X	X			
James Waltman			X			

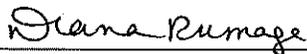
Introduction: February 9, 2026  
Published: February 13, 2026

Ordinance 2026-02 Adoption – roll call vote						
Township Committee	Motion	Second	Yes	No	Abstain	Absent
Chad Bower		X	X			
Luke Hanson			X			
Charles Herman	X		X			
Susan Lockwood			X			
James Waltman			X			

Public Hearing/Adoption: March 9, 2026

Published: March 11, 2026

I hereby certify that the attached ordinance is a true and correct copy of an ordinance entitled **AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 230 "LAND USE" OF THE CODE OF THE TOWNSHIP OF DELAWARE, ARTICLE III "ZONE REGULATIONS", TO AMEND SECTION 230-12 W, ENTITLED "ACCESSORY APARTMENTS" TO NOTE REQUIRED TOWNSHIP SUBSIDY** which was introduced at the meeting of the Township of Delaware Township Committee on February 9, 2026 and adopted at the meeting of the Township of Delaware Township Committee on March 9, 2026.



Diana Ramage  
Township Clerk