

**CHAPTER 30****URBAN ENTERPRISE ZONE AUTHORITY****Authority**

N.J.S.A. 52:18A-30(d) and N.J.S.A. 52:27H-88.

**Source and Effective Date**

R.1992 d.161, effective March 11, 1992.  
See: 24 N.J.R. 343(a), 24 N.J.R. 1375(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 30, Urban Enterprise Zone Authority, expires on March 11, 1997.

**Chapter Historical Note**

Chapter 30, Urban Enterprise Zone Authority, was adopted as R.1987 d.203, effective May 4, 1987. See: 18 N.J.R. 2191(b), 19 N.J.R. 773(a). Pursuant to Executive Order No. 66(1978), Chapter 30 was readopted as R.1992 d.161. See: Source and Effective Date.

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**SUBCHAPTER 1. GENERAL PROVISIONS****17:30-1.1 Purpose**

The enterprise zone assistance fund shall be used for the purpose of assisting qualifying municipalities in which enterprise zones are designated in undertaking projects for the public improvement of the zones and in upgrading eligible municipal services in designated enterprise zones.

**17:30-1.2 Compliance**

(a) No disbursements shall be made from the enterprise zone assistance fund unless the governing body of the qualifying municipality and the zone development corporation created by the municipality comply with the requirements of this chapter.

**17:30-1.3 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Eligible municipal services” means the hiring of additional policemen or firemen who are assigned duties in the enterprise zone, or the purchasing or leasing of additional police or fire vehicles, equipment or apparatus to be used for the provision of augmented or upgraded public safety services in the enterprise zone.

“Project” means:

1. The purchasing, leasing, condemning, or otherwise acquiring of land or other property, or an interest therein, in the enterprise zone or as necessary for a right-of-way or other easement to or from the enterprise zone;
2. The relocating and moving of persons displaced by the acquisition of land or property;
3. The rehabilitation and redevelopment of land or property including demolition, clearance, removal, relocation, renovation, alteration, construction, reconstruction, installation or repair of a land or a building, street, highway, alley, utility, service or other structure or improvement;
4. The acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements, except buildings and facilities for the general conduct of government and schools; and
5. The associated costs including the costs of an administrative, appraisal, economic and environmental analysis or engineering, planning design, architectural, surveying or other professional services necessary to effectuate the project.

**SUBCHAPTER 2. ENTERPRISE ZONE ASSISTANCE FUND****17:30-2.1 Application procedure**

(a) The governing body of a qualifying municipality in which an enterprise zone is designated and the zone development corporation created by the municipality for that enterprise zone may, by resolution jointly adopted after public hearing, propose to undertake a project for the public improvement of the enterprise zone or to increase eligible municipal services from moneys deposited in the enterprise zone assistance fund and credited to the account maintained by the State Treasurer for the enterprise zone. Proposals may be submitted to the Urban Enterprise Zone Authority

by the qualifying municipality and the zone development corporation at any time during the calendar year.

(b) The proposal adopted shall set forth a plan for the project or for the increase in eligible municipal services and shall include:

1. A description of the proposed project or of the municipal services to be increased;
2. An estimate of the total project costs, or of the total costs of increasing the municipal services, and an estimate of the amounts of funding necessary annually from the enterprise zone account;
3. A statement of any other revenue sources to be used to finance the project or to fund the increase in eligible municipal services;
4. A statement of the time necessary to complete the project or of the time during which the increased municipal services are to be maintained; and
5. A statement of the manner in which the proposed project or increase in municipal services furthers the municipality's policy and intentions for addressing the economic and social conditions existing in the area of the enterprise zone as set forth in the zone development plan approved by the authority.

#### 17:30-2.2 Evaluation process

(a) Upon adoption by the governing body of the qualifying municipality and by the zone development corporation, the proposal shall be sent to the authority for its evaluation and approval. The authority shall approve the proposal as soon as practicable if it finds that:

1. In the case of a proposed project:
  - i. The proposed project furthers the policy and intentions of the zone development plan approved by the authority; and
  - ii. The estimated annual payments for the project from the enterprise zone account to which the proposal pertains are not likely to result in a deficit in that account.
2. In the case of an increase in eligible municipal services:
  - i. The proposal furthers the policy and intentions of the zone development plan approved by the authority;
  - ii. The qualifying municipality has furnished satisfactory assurances that the additional policemen or firemen to be hired, or the additional vehicles, equipment or apparatus to be purchased or leased,

(1) Shall be used to augment or upgrade public safety in the enterprise zone; and

(2) Shall not be used in other areas of the municipality;

iii. The qualifying municipality shall annually appropriate for the increased eligible municipal services an amount equal to 20 percent of the amount of annual payments for the eligible municipal services from the enterprise zone account; and

iv. The estimated annual payments for the eligible municipal services from the enterprise zone account to which the proposal pertains are not likely to result in a deficit in that account.

#### 17:30-2.3 Disbursement of funds

(a) If the authority approves the proposal, it shall annually, upon its receipt of a written statement from the governing body of the qualifying municipality and the zone development corporation, certify to the State Treasurer the amount to be paid in that year from the enterprise zone account in the enterprise zone assistance fund with respect to each project or license in eligible municipal services approved.

1. No money shall be disbursed unless the written statement has been submitted and approved by the authority.

2. The authority may at any time revoke its approval of a project or an increase in eligible municipal services if it finds that the annual payments made from the enterprise zone assistance fund are not being used as required by this section.

3. For the purposes of this Section, a "written statement" shall include:

- i. A detailed account of the money disbursed in the preceding year; and
- ii. A request for payments for the succeeding year.

(b) Upon certification by the authority of the annual amount to be paid to a qualifying municipality with respect to any project or increase in eligible municipal services, the State Treasurer shall pay in each year to the qualifying municipality from the amounts deposited in the enterprise zone assistance fund an amount of money not to exceed the amount certified by the authority, within the limits of the amounts credited to the enterprise zone account of the qualifying municipality. Moneys distributed by the State Treasurer shall be paid out in such a manner and in such increments as shall be determined by the authority, which may include periodic payments as work proceeds on the project.