Governor Murphy Signs Permit Extension Act

7/9/2020

On July 1, 2020, following a conditional veto, Governor Phil Murphy heeded the requests from the business community and municipalities and signed into law the Permit Extension Act of 2020. The Statute will toll the running of expiration dates related to local, county, and state construction-related permits and approvals. The extension applies to any covered permit or approval in existence during the extension period. Such approvals are extended not only until the conclusion of the COVID-19 public health emergency but are also extended at least six months beyond the conclusion date.

The legislation would also extend certain timeframes by which planning and zoning boards have to grant or deny any applications pursuant to the Municipal Land Use Law. Specifically, municipal completeness certification has been extended from 90 days to 120 days, or 60 days after submittal for all applications which were extended by the March 9, 2020 legislation, as well as applications submitted during that extension period. In addition, municipal approval language has also been extended from 60 days to 120 days for applications awaiting completeness as of March 9, 2020 and those pending before a municipal agency as of March 9, 2020. The time period for a municipal agency to either grant or deny any other application for development submitted during the extension period is extended to either 120 days after March 9 or 60 days after the application for development is certified as complete by the municipal agency, whichever date is later. Permits registered with the DEP are to be extended within 30 days of the publication of the NJ Register notice tolling approvals. The running period of any approval not registered with DEP will not be suspended.