

Amendments to Ordinance #2014-8 “REVISED GENERAL ORDINANCES BOROUGH OF HIGH BRIDGE”, CHAPTER 276, “MAINTENANCE OF VACANT / ABANDONED PROPERTIES”

WHEREAS, Ordinance #2014-8 was adopted on April 10, 2014

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of High Bridge, County of Hunterdon, State of New Jersey approve the adoption of the following changes and additions to Chapter 276 Entitled “Maintenance of Vacant / Abandoned Properties” of the Borough Code.

Section 276-1- Definitions:

Amend:

Vacant Property – any building used or to be used as a residence, commercial or industrial structure which is not legally occupied or at which substantially all lawful construction operations or {residential} occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation, including but not limited to any property meeting the definition of abandoned property in N.J.S.A. 55:19-54, 55:19-78, 55:19-79, 55:19-80 and 55:19-81; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order, or where the building is in habitable condition, and where the building is actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this ordinance.

Add:

Abandoned Property – pursuant to NJSA 55:19-81 is defined as follows:

Any property that has not been legally occupied for a period of six months and which meets any one of the following additional criteria may be deemed to be abandoned property upon a determination by the public officer that:

- a. The property is in need of rehabilitation in the reasonable judgment of the public officer, and no rehabilitation has taken place during that six-month period;
- b. Construction was initiated on the property and was discontinued prior to completion, leaving the building unsuitable for occupancy, and no construction has taken place for at least six months as of the date of a determination by the public officer pursuant to this section;
- c. At least one installment of property tax remains unpaid and delinquent on that property in accordance with chapter 4 of title 54 of the Revised Statutes of the date of the determination by the public officer pursuant to this section; or
- d. The property has been determined to be a nuisance by the public officer in accordance with section 5 of P.L.2003, c.210 (C.55:19-82). A property which contains both residential and non-residential space may be considered

abandoned pursuant to P.L.2003, c. 210 (C. 55:19-78 et al.) so long as two-thirds or more of the total net square footage of the building was previously legally occupied as residential or commercial space and none of the residential or commercial space has been legally occupied for at least six months at the time of the determination of abandonment by the public officer and the property meets the criteria of either subsection a. or subsection d. of this section.

Section 276-7 Violations:

Add:

c. An out-of-state creditor found to be in violation of the requirement to appoint an in-State representative or agent pursuant to Section 276-4 shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in C. 46:10B-51 Section 17.1. (1).

Underline denotes additions, { } denotes deletions

ATTEST:

\_\_\_\_\_  
 John Gregory, Administrator  
 Acting Municipal Clerk

\_\_\_\_\_  
 Mark Desire  
 Mayor

<b>ROLL CALL VOTE</b>				
<b>COUNCIL MEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mayor Desire	xxxx	xxxx	xxxxxxx	xxxxxxx
Councilman Flynn				
Councilwoman Hughes				
Councilman Rapp				
Councilwoman Scarcia				
Councilman Stemple				