

TOWNSHIP OF MAPLEWOOD



ORDINANCE

2577-09

AN ORDINANCE
TO AMEND CHAPTER 203
OF THE CODE
OF THE TOWNSHIP OF MAPLEWOOD
ENTITLED
"PROPERTY MAINTENANCE"

"Interpretive Statement"

This ordinance will, pursuant to New Jersey Statutes, permit the Township of Maplewood to assess the costs of emergency work necessary to abate an imminent danger, etc. as a lien against the property.

BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey, that Chapter 203 of Code of the Township of Maplewood entitled "Property Maintenance" be amended by adding the following:

FIRST:

Section 203-2 Additions, insertions, deletions and changes, shall be amended by adding:

Section 109-5 of the International Property Maintenance Code is amended to read as follows:

Costs of Emergency Repairs.

Costs incurred in the performance of emergency work shall be paid by the Township of Maplewood ("Township"). The Township attorney for the Township shall institute appropriate action against the owner of the property where the unsafe structure is or is located for the recovery of such costs.

In addition to any other remedies available for a violation of this Section, the Township may abate any imminent danger, nuisance, correct a defect or put a property in proper condition pursuant to the provisions of N.J.S.A. 40:48-2.12f. Where abatement of any imminent danger, as defined, correction of a defect in the property or maintenance in a proper condition so as to comply with the requirements of any municipal ordinance or State law requires expending Township monies, the Code Official shall present a report of the work proposed to be done to accomplish the abatement to

the Township Committee, together with an estimate of the cost for abatement, along with a summary of the proceedings undertaken by the Code Official to secure compliance, including notices served upon the owners, operators, lessors or agents. The Township may, by resolution, authorize the abatement necessary to place the property in proper condition and in compliance with the ordinances of the Township and the laws of the State of New Jersey. The Code Official may thereafter proceed to have the work performed in accordance with the resolution at the Township's expense, not to exceed the amount specified in the resolution, and shall, upon completion of the work, submit a report of the monies expended to the Township Committee. After review, the Township Committee may approve the expenses and costs, and the expenses and costs shall become a lien against the property and shall be added to and form a portion of the taxes to be assessed and levied upon the property, the same to bear interest at the same rate as taxes, and shall be collected and enforced in the same manner as are taxes. A copy of the resolution approving the expenses and costs shall be certified by the Township Clerk and filed with the Tax Collector.

Notwithstanding the foregoing, any instance where the Code Official determines the need for property maintenance of a property to conform to the municipal code, the cost of which does not exceed \$200.00 in any one instance, the Code Official may direct the property maintenance be completed and the cost of same shall become a lien against the property and shall be added to and form a portion of the taxes to be assessed and levied upon the property, the same to bear interest at the same rate as taxes, and shall be collected and enforced in the same manner as are taxes.

SECOND: Severability

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

THIRD: Repeal of Prior Ordinances

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

FOURTH: Effective Date

This Ordinance shall take effect after final passage and publication and as provided by law.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held on January 6, 2009, and that Committee met again on January 20, 2009, at 7:30 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Committee proceeded to consider the said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk