

TOWNSHIP OF PEMBERTON
ORDINANCE NO. 7- 2018

**AN ORDINANCE OF THE TOWNSHIP OF PEMBERTON AMENDING
ARTICLE XIV, CHAPTER 145 OF THE TOWNSHIP CODE GOVERNING THE
MAINTENANCE OF VACANT PROPERTIES IN THE TOWNSHIP**

WHEREAS, Article XIV, Chapter 145 of the Township Code of the Township of Pemberton (the "Code") governs the Maintenance of Vacant Properties, Registration Requirements and Fees; and

WHEREAS, the Township has determined that it is necessary to amend Article XIV, Chapter 145 to exempt property owned by the Federal Government of the United States, from the Code's Vacant Property Registration and Fee Requirements; and

WHEREAS, the Township has also determined that it is in the best interest of the Township to amend Article XIV, Chapter 145 to provide vacant property owners a six-month compliance period beginning from the date of their initial registration before a Vacant Property Fee must be paid; and

WHEREAS, the Township Council wishes to adopt this ordinance in order to exempt federally-owned property from the previously adopted Ordinances 18-2012 and 01-2017 and to institute a compliance period for new owners of previously registered vacant property.

NOW, THEREFORE, IT IS ORDAINED by the Township Council of the Township of Pemberton, in the County of Burlington and State of New Jersey that Chapter 145 (entitled "Property Maintenance") of the Township Code is hereby amended as follows:

CHAPTER 145 (entitled "Property Maintenance") of ARTICLE XIV (entitled "Maintenance of Vacant Properties, Registration Requirements and Fees") shall be amended solely as set forth herein:

§ 145-44. General Requirements.

- A. Except as provided in §145-44 (F), effective January 2013, the owner of any vacant property, as defined herein, shall, within 60 days after the building becomes vacant property file a registration statement for each such vacant property with the Director of Community Development on forms provided by that Director of Community Development for such purposes.
- B. The owner shall be required to renew the registration annually as long as the building remains vacant property and shall pay a registration or renewal fee in the amount prescribed in § 145-46 of this article for each vacant property registered.
- C. Notwithstanding the requirements set forth in § 145-44 (B), a person or entity assuming ownership of a previously registered vacant property shall not be required to renew the vacant property registration, and pay the renewal fee, until one year and 6 months from the date of the previous registration. Thereafter, renewals shall be required annually from the adjusted date of the previous registration.
- D. The Director of the Department of Community Development shall have the authority to extend the six months' time period set forth in § 145-44 (C) up to an

additional 6 months on the condition that the new owner of the property has obtained the appropriate construction permits, has made substantial progress in the rehabilitation of the property, and requires the additional time within which to complete all renovations.

- E. Any owner of any building that meets the definition of "vacant property" prior to January 1, 2013, shall file a registration statement for that property on or before January 31, 2013. The registration statement shall include the information required under § 145-45 of this article, as well as any additional information that the Director of Community Development may reasonably require.
- F. The owner shall notify the Director of Community Development within 30 days of any change in the registration information by filing an amended registration statement on a form provided by the Director of Community Development for such purpose.
- G. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township against the owner or owners of the building.
- H. This chapter shall not apply to property owned by the Federal Government of the United States, or any of its agencies or instrumentalities.

§ 145-46. Fee schedule.

The initial registration fee for each building shall be \$500. The fee for the first renewal shall be \$1,500 and the fee for the second renewal is \$3,000. The fee for any subsequent renewal beyond the second renewal is \$5,000.

Vacant Property Registration Fee Schedule

<u>Initial registration</u>	<u>\$500</u>
<u>First renewal</u>	<u>\$1,500</u>
<u>Second renewal</u>	<u>\$3,000</u>

Any subsequent renewal \$5,000

§ 145-47. Requirements for owners for vacant property.

Except as provided in §145-44 (F), the owner of any building that has become vacant property, and any person maintaining, operating or collecting rent for any such building that has become vacant, shall, within 30 days thereof:

- A. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Township Code or as set forth in rules and regulations supplementing those codes; and
- B. Post a sign affixed to the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to § 145-45 of this article), and the person responsible for day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18 inches by 24 inches; and
- C. Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete.

IT IS FURTHER ORDAINED that all provisions contained within ARTICLE XIV (entitled "Maintenance of Vacant Properties, Registration Requirements and Fees") not specifically amended herein shall remain in full force and effect; and

IT IS FURTHER ORDAINED that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

IT IS FURTHER ORDAINED that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

IT IS FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

PEMBERTON TOWNSHIP COUNCIL

TOWNSHIP OF PEMBERTON
ORDINANCE NO. 7-2018

NOTICE OF PUBLIC HEARING

AN ORDINANCE OF THE TOWNSHIP OF
PEMBERTON AMENDING CHAPTER 145 OF THE
TOWNSHIP CODE TO EXEMPT FEDERAL
GOVERNMENT-OWNED PROPERTY FROM ITS
PROVISIONS AND ESTABLISH A SIX-MONTH
COMPLIANCE PERIOD FOR VACANT PROPERTY
OWNERS

The foregoing Ordinance was introduced and passed on first reading by the governing body of Pemberton Township at a meeting held on May 16, 2018 and will be considered for final passage after a public hearing at a meeting of the said governing body to be held on June 6, 2018 at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road, Pemberton, New Jersey, at 6:30 p.m. prevailing time, at which time any interested member of the public may comment on said Ordinance. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.

ATTEST:



AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

TOWNSHIP OF PEMBERTON
NOTICE OF FINAL PASSAGE
ORDINANCE NO. 7-2018

AN ORDINANCE OF THE TOWNSHIP OF
PEMBERTON AMENDING CHAPTER 145 OF THE
TOWNSHIP CODE TO EXEMPT FEDERAL
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OWNERS

Notice is hereby given that Ordinance No. 7-2018 as entitled above has been finally adopted on final reading by the governing body of Pemberton Township after a public hearing, at a meeting held on June 6, 2018. Said Ordinance shall take effect in accordance with law.

ATTEST:



AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

ACKNOWLEDGEMENT OF APPROVAL BY MAYOR



David A. Patriarca

DATE June 8, 2018

ATTEST:



AMY P. COSNOSKI, RMC, TOWNSHIP CLERK