

**ORDINANCE NO. 14-16**

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING AND SUPPLEMENTING CHAPTER 331 OF  
THE TOWNSHIP CODE OF THE TOWNSHIP OF  
JACKSON, ENTITLED "REGISTRATION OF PROPERTY"**

**BE IT ORDAINED**, by the governing body of the Township of Jackson, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 331 entitled "Registration of Property" so as to create Article II which shall be entitled "Vacant or Abandoned Property List," which shall read as follows:

**§331-8 Definitions.**

**ABANDONED PROPERTY**

As defined in accordance with the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall mean the following:

- (1) Except as provided in N.J.S.A. 55:19-83, 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 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 New Jersey Statutes as of the date of a 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 the standards set forth at N.J.S.A. 55:19-82

- (2) A property which contains both residential and non-residential space may be considered abandoned pursuant to N.J.S.A. 55:19-78 et seq. so long as two-thirds or more of the total net square footage of the building was previously legally occupied as residential space and none of the residential 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 (1)(a) or Subsection (1)(d) of this definition.

#### **EVIDENCE OF VACANCY**

- (1) Any condition that on its own or combined with other conditions present would lead a reasonable person to believe that the property is or has been vacant for three or more months. Such evidence would include, but is not limited to, evidence of the existence of two or more of the following conditions at a property: overgrown or dead vegetation; accumulation of newspapers, circulars, flyers or mail; past-due utility notices or disconnected utilities; accumulation of trash, junk or debris; the absence of window coverings such as curtains, blinds or shutters; the absence of furnishings or personal items consistent with residential habitation; statements by neighbors, delivery agents, or government employees that the property is vacant or abandoned; infestation by insects, vermin, rats or other pests; windows or entrances that are boarded up or closed off; multiple window panes that are damaged, broken or unrepaired; doors that are smashed, broken, unhinged or continuously unlocked; or any uncorrected violation of a municipal building, housing or similar code during the preceding year.
- (2) Property determined to be "abandoned property" in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall also be deemed to be vacant property for the purposes of this section.

#### **OWNER**

Shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of N.J.S.A. 46:10B-51, or any other entity determined by the Township of Jackson to have authority to act with respect to the property.

#### **VACANT PROPERTY**

Any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased for a period of at least three months, and any commercial property that has not been legally occupied or at which substantially all lawful construction operations have ceased for a period of at least three months. Any property that contains all building systems in working order, is being maintained on a regular basis, has not been cited by the Township for any violation of municipal ordinance within such time and is being actively marketed by its owner for sale or rental shall not be deemed vacant.

### **§331-9 General Requirements**

- A. The owner of any vacant property as defined herein shall, within 3 days after the building becomes vacant property or within 30 days after assuming ownership of the vacant property; whichever is later, file a registration statement for each such vacant property with the Jackson Township Office of Code Enforcement on forms provided by the Office of Code Enforcement for such purposes. The registration shall remain valid until the end of the calendar year. The owner shall be required to renew the registration annually, no later than January 31, as long as the building remains vacant property and shall pay a registration or renewal fee in the amount prescribed in this Article for each vacant property registered.
- B. Any owner of a building that meets the definition of a "vacant property" Prior to the effective date of this Chapter shall file a registration statement for that property on or before August 1, 2016. The registration statement shall include the information required under this Article, as well as any additional information that the Office of Code Enforcement may reasonable require.
- C. The owner shall notify the Office of Code Enforcement within 30 days of any change in the registration information by filing an amended registration statement on a form provided by the Office of Code Enforcement for such purpose.
- D. The registration statement shall be deemed prima facie proof of the statement therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township of Jackson against the owner or owners of the building.

### **§331-10 Registration statement requirements, property inspection**

- A. After filing a registration statement or a renewal of a registration statement, the owner of any vacant property shall provide access to the Jackson Township Code Enforcement Official if requested, following reasonable notice, during the period covered by the initial registration or any subsequent renewal. If an inspection is required of the interior of the property due to complaints or other cause, the fee for such inspection shall be the same as that for a certificate of occupancy inspection as provided in the applicable provisions of the Code of the Township of Jackson.
- B. The registration statement shall include the name, street address, email address and telephone number of a natural person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding, on behalf of such owner or owners in connection with the enforcement of any applicable code. The designated agent must have a contact number that will be available 24 hours per day on an emergency basis. The statement shall also include the name of the person responsible for maintaining and securing the property, if different from the designated agent.

- C. An owner who is a natural person and who meets the requirements of this section as to availability of a contact number on a twenty-four-hour emergency basis may designate himself or herself as agent.
- D. By designating an authorized agent under the provisions of this section, the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purpose of this section until the owner notifies the Township of Jackson of a change of the authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this section.

#### **§331-11 Fees**

The initial registration fee for each building shall be \$250. The renewal fee for each building shall be \$250.

#### **§331-12 Requirements for owners of vacant and abandoned property**

The owner of any building that has become vacant and abandoned, and any person maintaining, operating or collecting rent for any such building that has become vacant shall, immediately:

- A. Post a sign affixed to the inside of the building indicating the name, street address, email address and telephone number of the owner, the owner's authorized agent for the purpose of service of process, and the person responsible for the 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 15 inches by 17 inches; and
- B. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Code of the Township of Jackson and maintain the sign required in Subsection A above until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete; and
- C. Make provision for the maintenance of the lawn and yard, including regular grass cutting as required by the applicable provisions of the Code of the Township of Jackson; and
- D. Make provision for the cessation of the delivery of mail, newspapers and circulars to the property; and
- E. Make provision for the winterizing of the property by the cessation of water service to the property and the draining of water lines; and

- F. Make provision for the cessation of electric or gas utility services to the property;  
and
- G. Make provision for the regular maintenance of the exterior of the property.

**§331-13 Violations and Penalties**

- A. Any owner who is not in full compliance with this section or who otherwise violates any provision of this section or of the rules and regulations issued hereunder shall be subject to a fine of not less than \$500 and not more than \$1,000 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this section shall be recoverable from the owner and shall be a lien on the property.
- B. For purposes of this section, failure to file a registration statement in time, failure to provide correct information on the registration statement, failure to comply with the provisions of §331-12, or such other matters as may be established by the rules and regulations of the Council of the Township of Jackson shall be deemed to be violation of this section.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

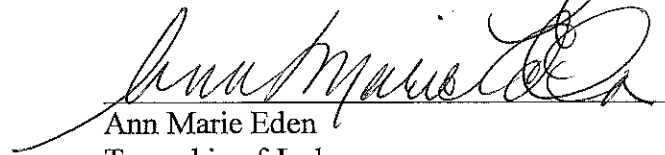
Date: 7-13-16



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MAYOR MICHAEL REINA

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Jackson held on the **28<sup>th</sup> day of June, 2016**, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the **12<sup>th</sup> day of July, 2016 at 7:30 p.m.**, or as soon thereafter as this matter can be reached, at the meeting room of the Township Municipal Building located at 95 W. Veterans Highway, Jackson, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.



\_\_\_\_\_  
Ann Marie Eden  
Township of Jackson



Jackson Township  
Code Compliance Division  
95 W. Veterans Highway  
Jackson, NJ 08527

**VACANT PROPERTY REGISTRATION**

**Vacant property address** \_\_\_\_\_

**Owner(s) full name (PRINT)** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Cell:** \_\_\_\_\_

**Email address :** \_\_\_\_\_

**Lienholder in Possession: Name:** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Cell :** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Authorized Agent: Name:** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Cell:** \_\_\_\_\_

**Email address :** \_\_\_\_\_

**Date property became vacant :** \_\_\_\_\_

*Acknowledgement of Responsibility : The undersigned owner/agent: 1) avows and acknowledges that the information herein is complete and accurate: 2) assumes responsibility for maintaining and securing subject building in conformity with Jackson Township Codes and 3)acknowledges the responsibility to notify the Township in writing within 30 days of any changes to information contained in this registration form.*

**Owner/Agent** \_\_\_\_\_ **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Fee: \$250.00**

**Cash** \_\_\_\_\_ **Check** \_\_\_\_\_ **Credit Card** \_\_\_\_\_ **Amount Paid** \_\_\_\_\_ **Staff** \_\_\_\_\_ **Date** \_\_\_\_\_

**FEE MUST ACCOMPANY APPLICATION**

Make checks payable to : Jackson Township  
Mail to: Jackson Township Code Enforcement  
95 W. Veterans Highway  
Jackson, NJ 08527

**VACANT PROPERTY MAINTENANCE PLAN**

- 1) The owner or owner's agent shall perform regular monthly inspections of the property to assure compliance with the requirements of this section.
- 2) All doors, windows and openings shall be secured
- 3) Weeds shall be removed from landscape beds, the perimeters of buildings, along fence lines and in parking lot joints and cracks.
- 4) Grass height shall be maintained no higher than 10 inches and trimmings removed from the property.
- 5) Exterior of property shall be kept free of junk & debris, including, but not limited to, newspapers, flyers, circulars, furniture, appliances, containers, equipment, auto parts, garbage, clothing, inoperable vehicles, boats, campers or any other items that give the appearance the property is vacant.
- 6) Building appurtenances must be securely attached so as not to cause blighting condition, including, but not limited to, gutters, downspouts, shutters, railings, guards, steps, awnings, canopies, signs, light fixtures and fire escapes.
- 7) Property fencing and retaining walls shall be maintained and structurally sound. Any fence or wall with broken or hanging components shall be repaired, straightened or removed.
- 8) Pools, spas and ponds shall be drained and kept dry or kept in working order so that the water remains free and clear of pollutants and debris. Pools and spas must comply with the barrier requirements of the adopted Building Code.
- 9) The property shall be free of graffiti or similar markings by removal or painting over with a color that matches the exterior of the structure.

**I certify that the above Vacant Property Maintenance Plan will be adhered to and that I am required to notify the Code Enforcement Office of any changes.**

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Signature of owner/agent

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Date