TOWNSHIP OF BLAIRSTOWN
106 Route 94
Blairstown, New Jersey 07825

clerk@blairstowntwp-nj.com

Linda Leidner, RMC
908-362-6663 x230

Date: _____

Re: _____
Property Address

_____
Property Address

_____
Property Address

VACANT/ABANDONED PROPERTY REGISTRATION

Dear Property Owner,

As the owner of a vacant/abandoned building in the Township of Blairstown, you are required under Township Ordinance No. 2016-05 to register your building with the Township Clerk, and pay a $500.00 initial registration fee to the Township of Blairstown.

Enclosed is the registration form. Please submit the completed form with the full **$500.00 fee made payable to "The Township of Blairstown"** within thirty (30) days of the date of this Notice to the Township Clerk at the address above.

The completed and approved registration shall remain valid for one (1) year from the date of registration. Thereafter, the owner shall be required to renew the registration **annually** for as long as the building remains vacant/abandoned and shall pay a registration or renewal fee in the amount prescribed in Ordinance No. 2016- for each vacant/abandoned property to be registered.

The owner must notify the Township Clerk within thirty (30) days of any change in its registration information or statements by filing an Amended Information and Registration Statement Form available from the Building Bureau for such purpose.

If there are any questions, please feel free to contact my office.

Linda Leidner, RMC
Municipal Clerk

BLAIRSTOWN TOWNSHIP

106 Route 94
clerk@blairstowntwp-nj.com Blairstown, NJ 07825 (908) 362-6663 x230
(908) 362-9635

VACANT / ABANDONED PROPERTY REGISTRATION FORM

BLOCK _____ LOT _____

PROPERTY ADDRESS: _____

PROPERTY OWNER NAME: _____

ADDRESS (No P.O. Boxes): _____

Telephone Number & E-Mail: _____

LENDER/LIEN HOLDER/MORTGAGE COMPANY/ TRUSTEE:

Name: _____

Address (No P.O. Boxes): _____

Telephone Number and Fax Number: _____

Contact, Telephone # (Direct Line) & E-mail: _____

PROPERTY MANAGEMENT COMPANY:

Name: _____

Address (No P.O. Boxes): _____

Telephone Number and Fax Number: _____

Contact, Telephone # (Direct Line) & E-mail: _____

PROPERTY DESCRIPTION:

Total Number of Residential Units: _____ Number of Stories: _____

Property Acquirement Date: _____

1. Is the property: Vacant ___ Abandoned: ___ Secure: ___ Open & Accessible: ___
2. Does the owner intend to restore the property to productive use and occupy in the Next 12 months: Yes ___ No ___
3. Is the property currently enclosed and/or secured from unauthorized entry e.g., windows/doors boarded)? Yes ___ No ___
4. Are the utilities On or OFF? Electric ____ Water ____ Gas ____
5. Is a sign (minimum 8"x10") affixed to the building specifying the name, address, and telephone number of the owner, owner's authorized agent and person responsible for daily supervision and management of building? Yes ____ No ____

An emergency contact person, having the authority to act and respond to the needs of the registered property must be available on a 24 hour per day, 7 day per week basis.

Emergency Contact Name & Telephone Number: _____

I CERTIFY THAT THE FORGOING STATEMENTS MADE BY ME ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS ARE WILLINGLY FALSE. I AM SUBJECT TO PUNISHMENT UNDER THE PENAL SECTION OF THE TOWNSHIP OF BLAIRSTOWN MAINTENANCE ORDINANCE.

_____ _____ _____

Owner's Name Owner's Signature Date

****

OFFICE USE ONLY: Initial $500.00 ____First Renewal$1,500.00 ____

Second-Third Renewal $3,000.00 _____ Subsequent Renewal $5,000.00 _____

Date Paid: _____ Cash ___ Check ____ Check Number _____

ORDINANCE 2016-05

AN ORDINANCE OF THE TOWNSHIP OF BLAIRSTOWN CREATING A NEW CHAPTER 132 OF THE CODE OF THE TOWNSHIP OF BLAIRSTOWN ENTITLED, "MAINTENANCE OF VACANT/ABANDONED PROPERTIES"

WHEREAS, the Township of Blairstown (the "Township") contains structures which are vacant and/or abandoned in whole or large part; and

WHEREAS, in many cases, the owners or responsible parties of these structures are neglectful of them, are not maintaining or securing them to an adequate standard or restoring them to productive use; and

WHEREAS, it has been established that vacant and abandoned structures cause severe harm to the health, safety and general welfare of the community, including diminution of neighboring property values, increased risk of fire and potential increases in criminal activity and public health risks; and

WHEREAS, the Township incurs disproportionate costs in order to deal with the problems of vacant and abandoned structures, including but not limited to, excessive police calls, fire calls and property inspections; and

WHEREAS, it is in the public interest for the Township to establish minimum standards of accountability on the owners or other responsible parties of vacant and abandoned structures in order to protect the health, safety and general welfare of the residents of the Township; and

WHEREAS, it is in the public interest for the Township to impose a fee in conjunction with registration of vacant and abandoned structures in light of the disproportionate costs imposed on the Township by the presence of these structures.

NOW, THEREFORE, the Mayor and Committee of the Township of Blairstown, County of Warren, State of New Jersey, be and hereby create a new Chapter 132 of the Code of the Township of Blairstown as follows:

Section 1.

CHAPTER 132
MAINTENANCE OF VACANT/ABANDONED PROPERTIES

§132-1. Definitions.

Owner — shall include the title holder, any agent of the title holder having authority to act with respect to a vacant/abandoned property, any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, Sec. 17 as amended by P.L. 2009, c. 296), or any other entity determined by the Township of Blairstown to have authority to act with respect to the property.

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 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 being actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this ordinance.

Abandoned Property — pursuant to N.J.S.A. 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.55:1982). 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 month 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.

e. Public Officer – The Zoning Officer or other official designated by the Township Committee.

§132-2. Registration requirements.

Effective upon the adoption of this ordinance, the owner of any vacant property as defined herein shall, within 30 calendar days after the building becomes vacant property; or within 10 calendar days of receipt of notice by the municipality, file a registration statement for such vacant property with the Township Clerk on forms provided by the Township for such purposes. Failure to receive notice by the municipality shall not constitute grounds for failing to register the property.

a. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.

b. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person 21 years 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 proceedings on behalf of such owner or owners in connection with the enforcement of any applicable code; and the name, street address, telephone number, and email (if applicable) of the firm and the actual name(s) of the firms individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24 hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
The initial registration shall be valid through December 31 of the initial registration year. Thereafter, the owner shall renew their registration annually on or before February 1 of each calendar year as long as the building remains a vacant and/or abandoned property, with renewal registrations being valid for one (1) calendar year.

c. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than 10 months prior to that date.

d. The owner shall notify the Public Officer within 30 calendar days of any change in the registration information by filing an amended registration statement on a form provided by the

Township Clerk for such purpose.

e. 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 owners of the building.

§132-3. Access to vacant properties.

The owner of any vacant property registered under this Article shall provide access to the Township to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours of 9:00 a.m. and 4:00 p.m., or such other time as may be mutually agreed upon between the owner and the Township.

§132-4 Responsible owner or agent.

a. An owner who meets the requirements of this Article with respect to the location of his or her residence or workplace in the State of New Jersey may designate him or herself as agent or as the individual responsible for maintaining the property.

b. 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 purposes of this section until the owner notifies the Township in writing of a change of authorized agent or until the owner files a new annual registration statement.

c. Any owner who fails to register vacant/abandoned property under the provisions of this Article shall further be deemed to consent to receive, by posting on the building, in plain view, and by service of notice at the last known address of the owner of the property on record within the Township by regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

§132-5 Fee schedule.

The initial registration fee for each building that becomes vacant/abandoned during any calendar year shall be five-hundred ($500.00) dollars. The fee for first renewal is one thousand five hundred ($1,500.00) dollars, and the fee for the second renewal is three thousand ($3,000.00) dollars. The fee for any subsequent renewal beyond the second renewal is five thousand ($5,000.00) dollars. All fees shall be submitted with the initial and renewal registrations required pursuant to section 132-2 (c). Neither the initial nor any renewal fee shall be subject to proration or refund based upon a change in status of the property to or from a vacant/abandoned condition during a calendar year for which the fee is applicable.

§132-6 Requirements of owners of vacant/abandoned properties.

The owner of any building that has become vacant/abandoned property, and any person maintaining or operating or collecting rent for any such building that has become vacant shall, within thirty (30) days thereof:

(1) Enclose and secure the building against unauthorized entry; and

(2) 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, 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 eight (8) inches by ten (10) inches; and

(3) 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; and

(4) Ensure that the exterior grounds of the structure, including yards, fences, sidewalks, walkways, right-of-ways, alleys, retaining walls, attached or unattached accessory structures and driveways, are well-maintained and free from trash, debris, loose litter, and grass and weed growth; and

(5) Continue to maintain the structure in a secure and closed condition, keep the grounds in a clean and well-maintained condition, and ensure that the sign is visible and intact until the building is again occupied, demolished, or until repair and/or rehabilitation of the building is complete.

§132-7 Violations.

a. A Summons shall issue to any owner that violates any provision of this Article or the rules and regulations issued hereunder shall be fined not less than $100.00 and not more than $1,000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this chapter 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 within 30 calendar days after a building becomes vacant property or within 120 calendar days after assuming ownership of a vacant property, whichever is later, or within 10 calendar days of receipt of notice by the municipality, and failure to provide correct information on the registration statement, or failure to comply with the provisions of such provisions contained herein shall be deemed to be violations of this ordinance.

Section 2.
BE IT FURTHER ORDAINED by Mayor and Commitee that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

Section 3.

BE IT FURTHER ORDAINED by Mayor and Committee that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

Section 4.

BE IT FURTHER ORDAINED by Mayor and Committee that this ordinance shall take effect immediately after final passage and publication, as required by law.

Introduction

Date:	June 8, 2016
Motion:	Avery
Second:	Shoemaker
VOTE:	AYE – Avery, Dalton, Van Valkenburg, Shoemaker
	NAY – Lance

Adoption

Date:	July 13, 2016
Motion:	Avery
Second:	Shoemaker
VOTE:	AYE – Avery, Dalton, Van Valkenburg, Shoemaker
	NAY – Lance
Published:	July 18, 2016

I, Linda Leidner, Township Clerk of the Township of Blairstown, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true copy of an ordinance adopted by the Township Committee of said Township on the 13th day of July, 2016 at a duly advertised public meeting.

TOWNSHIP OF BLAIRSTOWN

By:_____
Linda Leidner, RMC