



ORDINANCE 2018-14

Amending and Supplementing Chapter 22, Buildings and Building Regulations, Regarding Violations and Penalties for Property Maintenance

WHEREAS, Chapter 22, Buildings and Building Regulations, of the Township Code governs the maintenance of property within the Township of South Brunswick; and

WHEREAS, the South Brunswick Health Department has requested changes to this section of the Township Code to clarify that violations within the Property Maintenance Article of the Code apply to the entirety of the Article and not just sections; and

WHEREAS, it is in the best interests of the residents of the Township of South Brunswick to amend Chapter 22 to incorporate these changes within the Township Code;

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

I. Chapter 22, Buildings and Building Regulations, is amended as follows, with additions in underline and deletions in strikethrough:

Sec. 22-312. - Violations and penalties.

(a) Any persons found guilty in the municipal court for a violation of any provision of the Property Maintenance Code, contained in SB Code as Article VII of this Chapter and including provisions ranging from Section 22-221 through and including Section 22-311 ~~the provisions of this article~~ shall be subject to the penalties in section 1-13. For a first offense, a fine of not less than \$500.00 shall be imposed. For a second offense, a fine of not less than \$1,000.00 shall be imposed. For a third offense, a fine of not less than \$1,250.00 shall be imposed. For a fourth and all subsequent offenses, the maximum fine of \$2,000.00 shall be imposed. These mandatory fines shall not prohibit the municipal court from imposing any other penalty authorized in the Township Code or by law.

(b) With regard to the exterior of a vacant and/or abandoned residential property under foreclosure, a fine of ~~up to~~ \$1,500.00 for each day a maintenance violation continues to exist unabated shall be imposed following a 30-day period to correct the violation, or a 10-day period to correct the violation in the case of an imminent threat to public health and safety.

(c) An out-of-State foreclosing creditor violating the requirement to appoint an in-state representative or agent pursuant to section 22-229(c) shall be subject to a fine of ~~up to~~ \$2,500.00 for each day of the violation, which shall commence on the day after the 10-day period set forth in N.J.S.A. 46:10B-51 for providing notice to the township clerk that a foreclosure action has

been served.

II. If any clause, sentence, paragraph, section or part of this ordinance or any other codes or ordinances incorporated herein shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

III. This ordinance shall become effective twenty (20) days after its final passage.

The above ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of South Brunswick held on May 8, 2018, and will be considered on second reading and final passage at a regular meeting of the Township Council of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, New Jersey, at 7:30 p.m. on June 26, 2018, at which time and place any person having an interest therein will be given an opportunity to be heard.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Camarota, Deputy Mayor
SECONDER:	Josephine "Jo" Hochman, Councilwoman
AYES:	Bierman, Camarota, Grover, Hochman, Carley

This is to certify that the foregoing is a true copy of a Ordinance Adopted at the South Brunswick Township Council meeting held on June 26, 2018.


Barbara Nyitrai, Township Clerk