

# Ordinance of the City of Jersey City, N.J.

File No. Ord. 22-072  
Agenda No. 3.5 (1st Reading)  
Agenda No. 4.5 (2nd Reading and Final Passage)



**AN ORDINANCE AMENDING ARTICLE XXII OF CHAPTER 254 (PROPERTY MAINTENANCE) OF THE JERSEY CITY CODE REQUIRING THE REGISTRATION OF CERTAIN MORTGAGES OF REAL PROPERTY BY MORTGAGEES AND CHAPTER 160 (FEES AND CHARGES) TO CONFORM TO THE REQUIREMENTS OF P.L. 2021, C.444.**

**COUNCIL AS A WHOLE offered and moved adoption of the following ordinance:**

Whereas, in 2018 the City of Jersey City adopted an ordinance creating a property registration program to identify, monitor, and address the risk of blight on all such properties within the City; and

**Whereas**, the State has enacted P.L. 2021, C.444 requiring municipalities that operate registration programs to do so with certain uniformity as part of the State's overall statutory scheme addressing the risk of blight; and

**Whereas**, as a result of this legislation, the City of Jersey City must amend its property registration requirements and fee schedule for such registration to conform to the requirements of P.L. 2021, C.444.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY CITY AS FOLLOWS:**

A. The following amendments to Chapter 160 (Fees and Charges), Article I (Fee Schedule Established) and to Chapter 254 Registration of Foreclosure Property are hereby adopted:


**FEES & CHARGES  
SECTION I  
Fee Schedule Established**

**'160-1. - Fee schedule established.**

Fees shall be as follows:

- X. Chapter 254, Property Maintenance.
  - (1) License fees, in addition to the fees provided in N.J.S.A. 55:13A-1, et seq.
    - (a) Furnished apartments: \$125, Plus \$20 for each apartment.
    - (b) Motels, hotels, etc.: \$200, plus \$20 per room.
  - (2) Re-inspection fee: \$10.00.
  - (3) Inspections made under '254-107.
    - (a) For an inspection and two additional re-inspections, if necessary, for dwellings of two units or less: \$40.

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
Business Administrator

  
\_\_\_\_\_  
Corporation Counsel

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- (b) For an inspection and two additional re-inspections, if necessary for each dwelling unit in excess of two: \$10.
  - (c) For the third re-inspection and any additional re-inspections, per rooming unit: \$20.
- (4) Status report fee.
- (a) Pages one through 10: \$0.25 per page.
  - (b) Pages 11 through 20: \$0.15 per page.
  - (c) All pages over 21: \$0.10 per page.
- (5) Vacant property annual registration fee.
- (a) Vacant Buildings:
    - (1) The initial registration fee for each vacant building shall be \$500.00; provided, however, if a summons and complaint in an action to foreclose are filed, the initial fee and all subsequent fees shall be in accordance with subsection (6).
    - (2) The fee for the first renewal shall be \$1,000.00.
    - (3) The fee for the second renewal shall be \$2,000.00.
    - (4) The fee for any subsequent renewals shall be \$3,000.00.
- (6) ~~{The semi-annual registration fee for Foreclosure Property under section 254-127 shall be five hundred dollars (\$500).}~~

The registration fee shall be: (1) \$500.00 per property annually for any property that is required to be registered because a summons and complaint in an action to foreclose was filed by the creditor; and (2) an additional \$2,000.00 per property annually if the property is vacant or abandoned pursuant to the definition in Chapter 254-127 when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned pursuant to the definition in Chapter 254-127 at any time thereafter while the property is in foreclosure. All fees shall be paid no later than the 30th day after the filing of the summons/complaint. Late payments shall incur interest and penalties in accordance with the interest and penalties fixed for late payment of property taxes.

B. The following amendments to Chapter 254 (Property Maintenance), Article XXII (Foreclosure Property Registration) are hereby adopted:

PROPERTY MAINTENANCE  
**Article XXII**  
**Foreclosure Property Registration**

**'254 -125.- Purpose and Intent.**

It is the purpose and intent of the City to establish a process to address the blight of City neighborhoods caused by an increasing amount of Foreclosure Property within the City. It is the City's further intent to create a City-wide registration program as a means to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of Foreclosure Property.

**'254-126.- Establishment of a Registry.**

The City shall create a registration program and database cataloging each Foreclosure Property within the City, which will contain the information required by this Article.

**'254-127.- Registration of Foreclosure Property.**

A. A creditor filing a summons and complaint in an action to foreclose shall, in addition to the notice provided to the municipality pursuant to N.J.S.A. 46:10B-51 or N.J.S.A. 40:48-2.12s2, register the residential or commercial

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property with the City's Division of Housing Preservation as a property in foreclosure and, as part of that registration: (a) provide the Division with the information regarding the creditor required by (1) N.J.S.A. 46:10B-51 or (2) N.J.S.A. 40:48-2.12s2; (b) identify the date the summons and complaint in an action to foreclose on a mortgage was filed against the subject property, the court in which it was filed, and the docket number of the filing; and (c) identify whether the property is vacant and abandoned in accordance with the definition in the ordinance required by paragraph (7) :

1. If there is any change in the name, address, or telephone number for a representative, agent, or individual authorized to accept service on behalf of a creditor required to register pursuant to the property registration program following the filing of the summons and complaint, the creditor shall update the property registration program within 10 days of the change in that information;
- B. The creditor filing a summons and complaint in an action to foreclose shall, if the registered property becomes vacant and abandoned in accordance with the definition in the ordinance required by paragraph (F) after the property is initially registered with the municipality, update the property registration with the municipality to reflect the change in the property's status;
- C. The creditor filing a summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property if the property is vacant and abandoned at any time while the property is registered with the property registration program;
- D. A creditor located out-of-State shall be responsible for appointing an in-State representative or agent to act for the foreclosing creditor;
- E. A creditor filing a summons and complaint in an action to foreclose on a property, that is or becomes vacant and abandoned, shall secure the property against unauthorized entry, post a sign affixed to the inside of the property and visible to the public indicating the name, address, and telephone number of the creditor or an out-of-State creditor's in-State representative or agent for the purpose of receiving service of process, or acquire and otherwise maintain liability insurance by procuring a vacancy policy, covering any damage to any person or any property caused by any physical condition of the property while registered with the City;
- F. A property shall be considered vacant and abandoned if it is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:
  - (1) overgrown or neglected vegetation;
  - (2) the accumulation of newspapers, circulars, flyers, or mail on the property;
  - (3) disconnected gas, electric, or water utility services to the property;
  - (4) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
  - (5) the accumulation of junk, litter, trash, or debris on the property;
  - (6) the absence of window treatments such as blinds, curtains, or shutters;
  - (7) the absence of furnishings and personal items;
  - (8) statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
  - (9) windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
  - (10) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
  - (11) a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
  - (12) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
  - (13) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
  - (14) a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
  - (15) any other reasonable indicia of abandonment.
- G. For the purposes of this section, a residential property shall not be considered vacant and abandoned if, on the property:

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(1) there is an unoccupied building which is undergoing construction, renovation, or rehabilitation that is proceeding diligently to completion, and the building is in compliance with all applicable ordinances, codes, regulations, and statutes;

(2) there is a building occupied on a seasonal basis, but otherwise secure; or

(3) there is a building that is secure, but is the subject of a probate action, action to quiet title, or other ownership dispute.

H. The Director of the Division of Housing Preservation shall issue a notice to the creditor filing the summons and complaint in an action to foreclose, if the public officer or other authorized municipal official determines that the creditor has violated the ordinance. In the case of a violation for failure to provide care, maintenance, security, and upkeep of the exterior of vacant and abandoned property, such notice shall require the person or entity to correct the violation within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.

I. As used in this chapter, "Creditor" means a mortgagee or an agent or assignee of a mortgagee, such as the servicer, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. If the entity seeking to foreclose upon the residential or commercial mortgage changes as a result of an assignment, transfer, or otherwise after the filing of the foreclosure complaint in the Superior Court, the new entity shall be deemed the creditor for purposes of this section. For purposes of this section, a creditor shall not include the State, a political subdivision of the State, a State, county, or local government entity, or their agent or assignee, such as the servicer.

~~[A. Mortgagee shall register property subject to its mortgage with the Division of Property Maintenance or its designated agent within thirty days (30) of any of the following events:~~

- ~~1. the filing of a lis pendens in the county registrar's office;~~
- ~~2. the filing of an action to foreclose the mortgage;~~
- ~~3. the acceptance of a deed to the property;~~
- ~~4. the appointment of an agent to collect rents or to manage the property.~~

~~B. In addition to registration, the mortgagee shall conduct an inspection to determine whether the property is legally occupied. If the property is not legally occupied, the mortgagee shall secure the property in accordance with Section 254-21.6 (requirements for vacant properties) and maintain the exterior of the premises in compliance with Sections 254-43 and 254-44 (maintenance of exterior of premises) until title to the property is conveyed to a bona-fide purchaser.~~

~~C. Registration pursuant to this section shall contain the following information:~~

- ~~1. the name of the mortgagee and the servicer;~~
- ~~2. the direct mailing address of the mortgagee and the servicer;~~
- ~~3. a direct contact name and telephone number for both parties;~~
- ~~4. e-mail address for both parties;~~
- ~~5. the property occupancy status;~~
- ~~6. the address and block and lot number of the property;~~
- ~~7. and the name and twenty-four (24) hour contact telephone number of the local property management company responsible for the security and maintenance of the property.~~

~~D. The Foreclosure Property shall be inspected by the mortgagee or his designee twice a month to ensure compliance with the requirements of this Article.~~

~~E. The foreclosing mortgagee shall notify the Division or its designated agent within fifteen (15) days of any changes in the registration information by filing an amended registration form.~~

J. ~~F. Registration under this section is separate and apart from vacant property registration under Section 254-21.4, and mortgagee may be required to register under both sections if both are applicable.~~

~~G. Mortgagee may be subject to a maximum fine of up to \$2,000 for any violation of this section.]~~

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**'254-128.- Fees.**

- A. The registration fee shall be as provided in Chapter 160, Fees and Charges.
- B. All registration fees shall be paid directly from the Creditor, Lender, Servicer, Trustee, or Owner. Third Party Registration fees are not allowed without the consent of the City /or its authorized designee.

**'254-129.- Maintenance Requirements.**

In addition to the Maintenance Requirements of Section 254-127, the creditor, mortgagee and/or owner of any Foreclosure Property must secure the property in accordance with Section 254-21.6 and maintain the exterior of the premises in compliance with Sections 254-43 and 254-44 if the property is not legally occupied.

**'254-130.- Applicability.**

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the above and beyond any other state, county or local provisions for same.

**'254-131.- Inspections for Violations.**

Adherence to this article does not relieve any person, legal entity or agent from any other obligations set forth in any applicable code(s), which may apply to the property. Upon sale or transfer of title to the property, the owner shall be responsible for all violations of the applicable code(s) and the owner shall be responsible for meeting with the City's Code Enforcement Division within thirty (30) days for a final courtesy inspection report.

**'254-132.- Severability.**

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Note: All new material is underlined; words in [brackets] are omitted.  
For purposes of advertising only, new matter is **boldface** and repealed matter by *italics*.

07/06/22

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RECORD OF COUNCIL VOTE ON INTRODUCTION – Aug 17 2022						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	ABSENT	GILMORE	AYE	WATTERMAN, PRES	AYE	

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Sep 8 2022						
RIDLEY	ABSENT	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	

**SPEAKERS:**  
Adam Cohen

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY –						
RIDLEY		SALEH		DEGISE		
PRINZ-AREY		SOLOMON		RIVERA		
BOGGIANO		GILMORE		WATTERMAN, PRES.		

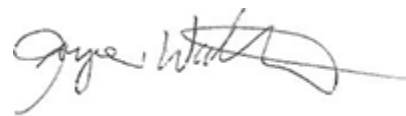
RECORD OF FINAL COUNCIL VOTE – Sep 8 2022						
RIDLEY	ABSENT	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on Aug 17 2022  
Adopted on second and final reading after hearing on Sep 8 2022

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on Sep 8 2022



City Clerk



Joyce E. Watterman, President of Council  
Approved: Sep 8 2022



Steven M. Fulop, Mayor  
Date to Mayor: Sep 9 2022  
Approved: Sep 9 2022

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**FACT SHEET -**

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

**Project Manager**

Dinah Hendon, Legal Analyst	201-547-4821	DHendon@jcnj.org
Department	Department of Housing, Economic Development, and Commerce	
Division	Division of Housing Preservation	

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Meeting	Regular Meeting of Municipal Council - Aug 17 2022
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**Purpose**

Eric Bulwith, 201-547-4357
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**Cost (Identify all sources and amounts)**

No Cost
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**Contract term (include all)**

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Approved by  
 Dinah Hendon, Legal Analyst  
 Annisia Cialone, HEDC Director  
 Ray Reddington, Attorney  
 John Metro, Business Administrator

Status:  
 Approved - Jul 08 2022  
 Approved - Jul 08 2022  
 Approved - Jul 11 2022  
 Approved - Aug 10 2022