

BOROUGH OF GLEN ROCK

ORDINANCE NO. 1912

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 162, PROPERTY MAINTENANCE CODE, OF THE CODE OF THE BOROUGH OF GLEN ROCK RELATING TO VACANT STOREFRONTS AND DISPLAY WINDOWS

WHEREAS, vacant storefronts, display windows, and/or any areas intended to exhibit or display merchandise or conduct advertising on the street level of commercial structures have a blighting influence upon the surrounding neighborhood; and

WHEREAS, obstructing such windows and/or storefronts by the placement of newspaper or other types of newsprint or plain paper, the painting, soaping or hazing of windows and/or storefronts; or the boarding and/or placement of cardboard, plywood or other similar material in windows and/or storefronts, also has a blighting influence and adversely affects the viability of the entire commercial area; and

WHEREAS, the Mayor and Council finds that the elimination of such blighting influences will preserve and protect the public's health safety and welfare and will promote an active pedestrian district;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Glen Rock, Bergen County, New Jersey, as follows:

SECTION 1. Chapter 162, Property Maintenance, of the Code of the Borough of Glen Rock is hereby amended to add thereto Article V, Vacant Storefronts and Display Windows, to read as follows:

ARTICLE V. VACANT STOREFRONTS AND WINDOW DISPLAYS

§ 162-24. Registration.

Owners of buildings with vacant or unoccupied ground floor storefronts shall be required to register the vacant space with the Property Maintenance Officer within thirty (30) calendar days of the vacancy unless within such thirty (30) day period the storefront is reoccupied and no longer vacant.

§ 162-25. Requirements.

- A. The owner of any commercial structure which is vacant or unoccupied for a period of thirty (30) days and which contains a storefront, display window, and/or any area intended to exhibit or display merchandise or conduct advertising on the street level of such commercial structure, shall place a display or a visual medium, such as local artwork, cultural/historical interpretive displays, mannequins, potted plants or some other form of decorative display,

which will not, by its appearance, create a blighting effect on the immediate neighborhood.

- B. The following methods of obstructing windows and/or storefronts are prohibited: the placement of newspaper or other types of newsprint or plain paper on windows and/or storefronts; the painting, soaping or hazing of windows and/or storefronts; or the boarding and/or placement of cardboard, plywood or other similar material in windows and/or storefronts. The aforementioned list is not intended to be exhaustive but rather illustrative as to those types of conditions which are specifically prohibited under this section.
- C. Vacant ground floor storefronts shall not be used for storage or left empty without window displays are permitted hereunder.
- D. The exterior grounds of the property and exterior features of the building and storefront shall be kept clean and well maintained.
- E. All areas of the vacant storefront visible by the public from the public street or sidewalk shall be maintained in a broom cleaned condition and free of litter and debris at all times.

#### §162-26. Enforcement

- A. Enforcement officer. The Property Maintenance Officer of the Borough is hereby designated as the officer charged with the enforcement of this article and is hereinafter referred to as the "Enforcement Officer." All members of the authorized inspectors of the Building Department and Board of Health of the Borough are hereby designated as Assistant Enforcement Officers for the purposes of the enforcement of this code.
- B. Enforcement procedure. Whenever the Enforcement Officer or Assistant Enforcement Officer determines that there is or has been a violation of any provision of this article, he or she shall give notice of such violation to the person, persons or entities responsible therefor under this article. Such notice shall be in writing and include a concise statement of the reasons for its issuance. Such notice shall be deemed to be properly and sufficiently served if a copy thereof is sent by registered or certified mail to the last known address of the person or entity upon which the same is served, as shown by the most recent tax lists of the municipality, or a copy thereof is handed to such person or persons or a copy thereof is left at the usual place of abode or office of such person or entities. Notice shall be given as aforesaid within or without the municipality. The notice shall also state that unless the violation is abated, removed, cured, prevented or desisted from within 5 days of the date of service of such notice (exclusive of the date of service), a summons and complaint shall be issued for such violation. The Enforcement Officer or Assistant Enforcement Officer may, at the time he

or she issues the notice, extend the period for compliance with the violation stated in the notice for a period in excess of the aforesaid 5 days if, in his or her judgment, the abatement, removal, prevention, cessation of or cure of the condition violated cannot reasonably be effected within the five-day period; and, in such cases, the Enforcement Officer, or Assistant Enforcement Officer, shall state such reasonably required extended period in the notice, which shall then be applicable instead of the aforesaid 5 days. In the event that the violation is not abated, removed, cured, prevented or desisted from or otherwise fully remedied within the five-day period or within such extended period as set forth in the notice, pursuant to the foregoing, a summons and complaint shall then be issued against the person, persons, entity or entities so notified.

§162-27. Violations and Penalties

Any person or entity who shall violate any of the provisions of this article or any order promulgated hereunder shall, after a summons is issued under the terms hereof, upon conviction, be punished by any combination of the following: by a fine not to exceed \$1,250.00 but not less than \$100.00, by imprisonment in the county jail for a period not to exceed 90 days or by a period of community service not to exceed 90 days. Each violation of any of the provisions of this article and each day that each such violation shall continue shall be deemed to be a separate and distinct offense.

SECTION 2. Inconsistency. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. Severability. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

SECTION 4: Effective Date. This ordinance shall take effect upon passage and publication, as otherwise required by law.

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Kristine Morieko, Mayor

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Jacqueline Scalia, Borough Clerk

Introduced: \_\_\_\_\_

Adopted: \_\_\_\_\_