

**AN ORDINANCE AMENDING CITY CODE CHAPTER 11
("BUREAU OF PERMITS AND INSPECTIONS"), SECTION 36
("PROCEDURE TO SECURE STRUCTURE") SO AS TO REQUIRE
AN OWNER OF AN OPEN VACANT STRUCTURE TO SECURE IT
WITHIN FIFTEEN (15) DAYS OF NOTICE HAVING BEEN
SERVED**

WHEREAS, the Board of Commissioners finds that the City has recently been experiencing a large number of open vacant structures which attract nuisance activities, including illegal drug use, prostitution, illegal occupancy and fires; and

WHEREAS, existing Code Section 11-36 ("Procedure to secure structure") allows an owner of a vacant structure which has become open and accessible, a thirty (30) day period after notice is served to complete repairs necessary to secure the structure; and

WHEREAS, the Board of Commissioners finds this period to be excessive such that it prevents the City from abating nuisance properties within a reasonable period of time; and

WHEREAS, the Board of Commissioners consequently finds that a truncated period of 15 days is sufficient to satisfy the due process requirements of N.J.A.C. 5:23-2.32 ("Unsafe structures").

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MILLVILLE that Code Section 11-36 ("Procedure to secure structure") is hereby amended as follows:

Section One

§11-36. Procedure to secure structure.

- A. (No Change).
- B. Completion of work. In the event that an owner fails to complete all work required to secure a structure within 15 days after the end of the applicable period for the owner to appeal the code official's determination, then the City shall have the authority to secure the subject structure itself or by agreement with a third party. The costs incurred by the City in so proceeding, including reasonable administrative charges, shall be assessed against and be a lien upon the subject property.
- C. (No Change).

Section Two

Should any provisions of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

Section Three

This ordinance shall take effect twenty (20) days after final passage, according to law.

FIRST READING: February 6, 2024

Moved By: Romanik
Seconded By: Hewitt

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Lisa M. Orndorf	X			
Benjamin J. Romanik	X			
Joseph Sooy	X			
C. Kirk Hewitt	X			
Stephen E. Watson, Jr	X			

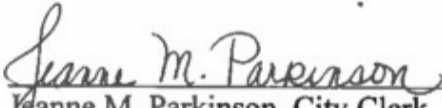
SECOND READING: February 20, 2024

Moved By: Romanik
 Seconded By: Watson

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Lisa M. Orndorf				X
Benjamin J. Romanik	X			
Joseph Sooy	X			
C. Kirk Hewitt	X			
Stephen E. Watson, Jr	X			

CERTIFICATION

I certify that the foregoing is a true copy of an Ordinance adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on February 20, 2024.


 Jeanne M. Parkinson, City Clerk

PROCEDURE

Approved on First Reading:	February 6, 2024
Published:	February 10, 2024
Approved on Second Reading:	February 20, 2024
Published:	February 24, 2024
Effective Date:	March 15, 2024 .