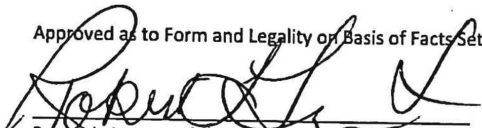


Approved as to Form and Legality on Basis of Facts Set Forth



Borough Attorney /s/ Robert L. Tarver, Jr.

**BOROUGH OF PENNS GROVE
MAYOR AND COUNCIL**

ORDINANCE NO. 2021-20

**AN ORDINANCE ESTABLISHING THE
"ADOPT A LOT" PROGRAM**

WHEREAS, The Borough of Penns Grove currently owns and maintains numerous vacant properties that need care and maintenance, and our municipal government and residents alike share a vested interest in the upkeep and beautification of those lots; and

WHEREAS, Residents and community groups have expressed interest in participating in a program that empowers those interested parties to care for, improve, and make productive use of those properties to better their neighborhoods; and

WHEREAS, Allowing residents to legally care for such lots will benefit the public and the Borough by improving the condition of the lots and the neighborhoods in which they are located by beautifying the properties, reducing blight, increasing neighborhood cohesiveness, and promoting the sustainability goals of the City.

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

SECTION 1. Establishment of Program

In order to improve the aesthetic appearance of parks, vacant lots and streets located in the Borough of Penns Grove and in order to provide assistance in maintaining the parks, lots and streets, the Borough of Penns Grove hereby establishes an "Adopt a Lot Program," in which volunteer groups, individuals, businesses or organizations may adopt a vacant lot owned by the Borough of Penns Grove for the purpose of cleaning up leaves, litter, trash and maintaining the general beautification of the vacant lot.

SECTION 2. Qualifications.

Any person, company, organization or group may petition the Borough council to participate in the adopt a lot program. Any individual or group which is comprised of individuals under the age of eighteen (18) must be under the supervision of a person over the age of twenty-one (21).

SECTION 3. Application.

A. Any volunteer group, individual, company or organization shall complete an application on a form prescribed by the director of the department of public works providing the following information:

- (a) The name and the location of the lot it desires to adopt;
 - (b) The names and addresses of all participants;
 - (c) A plan and schedule of the work to be performed.
- B. Applicants who are property owners must have paid all real estate taxes on properties currently owned and have no current violations.
- C. Applicants may adopt property immediately adjacent to property which they currently own or rent.
- D. Prior to the commencement of any maintenance or beautification activities at the lot the applicant must participate in an initial safety orientation meeting with an authorized representative of the Borough of Penns Grove Department of Public Works.
- E. The Mayor shall designate a program coordinator. The application shall be filed with the Borough of Penns Grove for review and comment as to the feasibility and compatibility of the applicant participating in the program prior to a formal request being made to the Borough council of the Borough of Penns Grove.
- F. The Borough shall not supply any tools, equipment or supplies for this program. Any and all tools, equipment or supplies shall be furnished by the volunteers.

SECTION 4. Authorization from Borough Council.

Borough council, after receipt and review of a recommendation and report from the director of the department of public works, may authorize adoption of the lot. The Borough of Penns Grove, at its own expense will provide, install and maintain a permanent sign designating the program with the applicant's name set forth thereon. The applicant shall not use or display any business logo or commercial advertising at the site.

SECTION 5. Approval and renewal.

Borough council approval shall be for a period of not less than six months, nor more than twenty-four (24) months. After the initial period of approval, the participant may petition the director of the department of public works to review its actions and then report its findings to the Borough council for renewal. After the Borough council has received a recommendation and report from the director of public works, the governing body may adopt a resolution renewing its approval for a period of not less than six months, nor more than twenty-four (24) months.

SECTION 6. Hold Harmless.

No volunteer group, individual, company or organization who performs any work or services under this program shall be deemed, to be employees of the Borough of Penns Grove and the Borough shall be held harmless by the volunteer group, individual, company, organization or anyone directly or indirectly connected with the volunteer group, individual, company or organization from the negligent or careless acts of the volunteer group, individual, company or organization in the performance of any functions under the program. All participants in the

program shall be required to sign a release and shall waive any and all claims for negligence on the part of the Borough of Penns Grove, its officials and employees, which arise out of their participation in the program.

SECTION 7. No Legal Right Conferred.

Participation in the program is voluntary and no legal right to title, ownership or usage shall vest with the participants by virtue of their participation.

SECTION 8. Termination.


The Borough council, upon request of the director of the department of public works, shall have the right, in its sole discretion, at its convenience and at any time, to terminate any program designation by providing written notice to the applicant.

SECTION 9. Rules and regulations.

The director of the department of public works may adopt such other reasonable rules and regulations as may be necessary to effectuate the intent of this program.


 LaDaena D. Thomas, Mayor

ATTEST:


 Municipal Clerk

July 20, 2021
 Date Adopted

Intro: 7/6/21

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FIRST READING													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
MARTIN	X				X		GIORDANO	X					
SCARPACI	X						RAMBO				X		
CARTER	X												
MINCEY, PRESIDENT								X					X
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

Final: 7/20/21

DO NOT USE SPACE BELOW THIS LINE														
RECORD OF COUNCIL VOTE ON FINAL PASSAGE														
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	
MARTIN				X			GIORDANO	X						
SCARPACI	X				X		RAMBO	X					X	
CARTER	X													
											MINCEY, PRESIDENT			
													X	
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second														

This is a Certified True copy of the Original Ordinance on file in the Borough Clerk's Office.

DATE OF ADOPTION: 7/20/2021

Sharon R. Williams
/s/ Sharon Williams, Borough Clerk