ORDINANCE 2008 - #6
AN ORDINANCE AMENDING CHAPTER 209 OF THE TOWNSHIP CODE ENTITLED " PROPERTY MAINTENANCE"

BE IT HEREBY ORDAINED by the Township Committee of the Township of Riverside, County of Burlington, State of New Jersey, that the Township Code be and is hereby amended as follows:

SECTION I. AMENDED SECTIONS

The Township shall amend the following section:

209-1. Applicability.
209-2. Provisions.
209-3. Remedies.
209-4. Violations and Penalties.
209-5. Declaration of Findings.
209-6. Standards Adopted.
209-7. Amendments to Standards.
209-8. Designation of Code Official.
209-9. File Copies.

SECTION II. REPEALER, SEVERABILITY AND EFFECTIVE DATE

A. Repealer. All Ordinances and provisions thereof inconsistent with the provisions of the Ordinance shall be and are hereby repealed to the extent of such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective. The Ordinance shall take effect upon proper passage in accordance with the law.

RIVERSIDE TOWNSHIP COMMITTEE

Chapter 209: PROPERTY MAINTENANCE

[Adopted by the Township Committee of the Township of Riverside: Art. I, 7-26-1967 by Ord. No. 1967-13 as Section 8:3 of the 1967 Code; Art. II, 12-30-1988 as Ord. No. 1988-21. Amendments noted where applicable.]

GENERAL REFERENCES

Littering — See Ch. 176.

Streets and sidewalks — See Ch. 228.

ARTICLE I

Brush, Grass, Weeds and Debris [7-26-1967 by Ord. No. 1967-13 as Section 8:3 of the 1967 Code]

§ 209-1. Applicability.

It shall be unlawful for any owner and/or tenant or person in possession of any lands in the Township of Riverside to permit such lands to be covered with or contain brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, filth, and debris where the same is inimical to the preservation of the public health, safety or general welfare of the people of the Township of Riverside or which may constitute a fire hazard.

In addition, every property owner shall be responsible for that portion of the cartway/roadway abutting his/her property line to and including the street gutter for the removal of weeds, trash, debris or other obnoxious growth, dead and dying trees, stumps, roots, filth, and debris that is inimical to the preservation of public health, safety or general welfare of the people of Riverside Township or which may constitute a fire hazard.

§ 209-2. Provisions. [10-25-1 978 by Ord. No. 1978-20; 11-24-1982 by Ord. No. 1982-17; 3-28-1994 by Ord. No. 1994-4]

A. Enforcement Procedure. Upon complaint of any resident of the Township of Riverside or any officer or employee of the Township of Riverside or upon his/her own motion, the designated Township Official shall make an investigation of the condition outlined in the complaint. If the designated Township Official determines that there is or has been a violation of any provision of this chapter, he/she shall issue the owner and/or tenant or person in possession of said lands complained of, a courtesy warning notice. Such notice, in the form of a door hanger or sticker as approved by the Township Committee, shall be posted upon the residence ordering the removal of said brush, weeds, dead or dying trees, stumps, roots, obnoxious growths, filth, and debris within 48 hours of the posting of said notice. The designated Township Official shall reinspect said lands after the 48 hour period shall have expired. Should the violation continue to exist, the designated Township Official shall issue the owner and/or tenant or person in possession of said lands complained of, a written notice of violation. Such notice shall be kept confidential and made in writing, either by regular or registered mail, to remove said brush, weeds, dead or dying trees, stumps, roots, obnoxious growths, filth, and debris within five (5) days of said notice. The designated Township Official shall reinspect said lands after the time period shall have expired. Should the condition still exist, a Municipal Court summons will be issued in accordance with § 209-4 herein. All future

violations of the same and/or similar nature will be subject to summons without the issuance of a warning notice or notice of violation.

B. Inspections. The designated Township Official is authorized to enter upon any land at any time for the purpose of performing his/her duty, with the consent of the property owner. In the event that the property owner refuses such consent, the designated Township Official is authorized to apply to the Judge of the Riverside Township Municipal Court for an administrative entry order.

C. Appeals. Any owner, occupant, or operator who receives a notice of violation from the designated Township Official shall have the right to appeal the Officer's findings and determinations to the Township Committee by filing written notice of appeal with the Township Clerk within fifteen (15) days of the receipt of the notice of violation. The Township Committee shall review the appeal at the next Township Meeting thereafter. The Township Committee shall render its decision with respect to the appeal within fifteen (15) days after the close of the meeting and shall memorialize its findings and determinations in a written resolution to be issued by the Township Clerk. The time period for abatement as forth in this chapter and in the violations notice shall be automatically extended during the appeal and a summons with the Municipal Court shall not be issued until a decision is rendered by the Township Committee.

§ 209-3. Remedies.

In the event that the owner and/or tenant or person in possession shall refuse or neglect to abate or remedy the condition complained of after said notice, the Township Committee may cause the condition complained of to be abated and remedied and shall thereafter certify the cost thereof to the Collector of Taxes of the Township of Riverside to be charged against said lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

§ 209-4. Violations and penalties. [9-25-1995 by Ord. No. 1995-10]

Refer to Chapter 2, Violations.

ARTICLE II

Adoption of Standards [12-30-1988 as Ord. No. 1988-21]

§ 209-5. Declaration of findings.

The Township Committee hereby makes the following declarations:

A. N.J.S.A. 40:49-5.1 provides that any municipality may enact ordinances establishing rules and regulations affecting the maintenance, construction, reconstruction or repair of buildings by reference to such rules and regulations in any such ordinance, and without the inclusion of the text thereof therein, if the rules and regulations to be adopted are printed or otherwise reproduced in a book form as a code or as part of a code of such rules and regulations, provided that a copy of such printed codes so marked as to indicate portions thereof, if less than whole, is intended to be adopted and is annexed to such ordinance and that a copy of said code has been placed on file with the Municipal Clerk.

B. The Uniform Construction Code (UCC), have prepared a model code setting forth suggested rules and regulations with respect to the care and maintenance of existing structures in a municipality, said code being known as "The International Property Maintenance Code, 2003." [9-28-1998 by Ord. No. 1998-9].

C. The Township Administrator and the Township Committee have reviewed said code and recommend that portions of said code be adopted for the purposes of providing for the care and maintenance of existing structures in the Township of Riverside. [9-28-1998 by Ord. No. 1998-9].

§ 209-6. Standards adopted. [9-28-1998 by Ord. No. 1998-9]

Pursuant to N.J.S.A. 40:49-5.1, the Committee hereby adopts the International Property Maintenance Code, 2003, except for the following sections:

A. Section PM-108.0 Unsafe structures and equipment.

B. Section PM-109.0 Emergency measures.

C. Section PM-110.0 Demolition.

D. Section PM-111.0 Means of appeal.

E. Section PM-302.3 Sidewalks and driveways.

F. Section PM-302.8 Motor vehicles.

G. Section PM-307.0 Rubbish and garbage.

H. Section PM-308.3 Single occupant.

I. Section PM-308.5 Occupant.

J. Section PM-606.0 Elevators, escalators and dumbwaiters.

§ 209-7. Amendments to standards. [9-25-1995 by Ord. No. 1995-10; 9-28-1998 by Ord. No. 1998-9]

The Township Committee hereby amends various sections of the code as follows:

A. Section PM-101.1 is amended to insert: "the Township of Riverside."

B. Section PM-106.4 is amended to insert "$2,000" and "90" days respectively.

C. Section PM-302.4 is amended to insert 4 inches.

D. Section PM-304.3 is amended to reflect that the size of the address numbers is amended from 3.5 inch requirement to a minimum size of 3.5 - 4 inches.

E. Section PM-304.15 Insect screens is amended to insert the dates of April 15 and October 15 respectively.

F. Section PM-602.3 is amended to insert the dates of October15 and April 15 respectively.

G. Section PM-602.4 Occupiable structures is amended to insert the dates of October 15 and April 15, respectively.

§ 209-8. Designation of Code Official. [9-28-1998 by Ord. No. 1998-9]

The Township Committee hereby declares that the Code Official referred to throughout the International Property Maintenance Code/2003 shall be the Code Enforcement Officer and/or the Officers of the Riverside Township Police Department. The Committee further declares that the designated Township Official referred to throughout Chapter 209 herein shall be the Code Enforcement Officer and/or the Officers of the Riverside Township Police Department.

§ 209-9. File copies. [9-28-1998 by Ord. No. 1998-9]

The Township Committee hereby directs the Township Clerk to keep on file one copy of the International Property Maintenance Code, 2003 in the office of the Township Clerk and that a copy of the aforementioned code is to be annexed to this Article, indicating which sections are to be adopted and have been amended.