

**TOWNSHIP OF ANDOVER
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE NO. 2018-10

AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO AMEND THE TOWNSHIP CODE BY AMENDING CHAPTER 68 ENTITLED "PROPERTY MAINTENANCE", SECTION 68-10 ENTITLED "ADMINISTRATIVE PROCEDURES"

WHEREAS, the Township Committee has reviewed and assessed the Township Code section regarding property maintenance within the Township; and

WHEREAS, the Township Committee and Township Zoning Officer have determined that certain amendments to the Code should be made.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Andover, in the County of Sussex, and State of New Jersey as follows:

SECTION 1. Chapter 68 "Property Maintenance", Section 68-10 "Administrative Procedures" is amended to read as follows:

§ 68-10 Administrative provisions.

A. Enforcement officer. It shall be the duty and responsibility of the Zoning Officer or its authorized representative of the Township to enforce the provisions of this code as herein provided.

B. Coordination of enforcement

(1) Inspection of premises and the issuing of orders in connection therewith under the provisions of this code shall be the exclusive responsibility of the Township Zoning Officer.

(2) Wherever in the opinion of the Zoning Officer, it is necessary or desirable to have inspections of any condition by any other department, the Zoning Officer shall arrange for this to be done.

(3) No order for correction of any violation under this code shall be issued without the approval of the Zoning Officer, and it shall be the responsibility of the Zoning Officer before issuing any such order to determine that it has the concurrence of any other department or official of the government concerned with any matter involved on the case in question.

C. Inspections. The enforcement officer is authorized to enter upon any land at any reasonable time for the purpose of performing his or her duty under this code or by way of a search warrant if required by law.

D. Enforcement procedure.

(1) Notice.

(a) Whenever an enforcement officer determines that there is or has been a violation of any provision of this chapter, he or she shall give notice of such violation to the person, persons or entities responsible therefor under this section.

(b) Such notice shall be in writing and shall include a concise statement of the reasons for its issuance.

(c) Such notice shall be deemed to be properly and sufficiently served if a copy thereof is sent by regular mail to the last known address of the person or entity upon which the same is served, as shown by the most recent tax records of the Township, or a copy thereof handed to said person or persons, or a copy thereof left at the usual place of abode or office of said persons or entities.

(d) Notice shall be given as aforesaid within or without the Township and shall state that unless the violation is abated, removed, cured, prevented or desisted within 15 days of the date of service of such notice (exclusive of the date of service), a summons shall be issued for such violation.

(2) Extension of time for compliance.

(a) The enforcement officer may extend the period for compliance with the requirements of this section in regard to the violation stated in the notice for a period in excess of the aforesaid 15 days if, in his judgment, the abatement, removal, prevention, cessation or cure of the condition violated cannot reasonably be effected within the thirty-day period; and, in such cases, the enforcement officer shall state such reasonably required extended period in the notice, which shall then be applicable instead of the aforesaid 30 days.

(3) Issuance of summons.

(a) In the event that the violation is not abated, removed, cured, prevented or desisted from or otherwise fully remedied within said thirty-day period or within such extended period as set forth in the notice, pursuant to the foregoing, a summons shall be issued against the person, persons, entity or entities so notified.

E. Emergency conditions.

(1) Whenever the enforcement officer finds that an emergency condition in violation of this chapter exists and that such condition requires immediate attention in order to protect the public health or safety, he or she may issue an order by service of notice as set forth in Subsection D above, reciting the existence of such emergency condition and requiring that such action be taken by the violator as soon as is reasonably necessary to meet the emergency.

(2) Notwithstanding any other provision of this chapter to the contrary, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but, upon objection in writing to the enforcement officer, any such person shall be afforded a hearing before the governing body of the Township as soon as is reasonably possible.

(3) After such hearing and decision by the governing body as to the existence or nonexistence of the emergency condition, the governing body may continue such order in effect, or modify or withdraw it, subject to the issuance of a summons for violation thereof if such order is continued.

The remainder of this Chapter remains unchanged.

SECTION 2. All ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

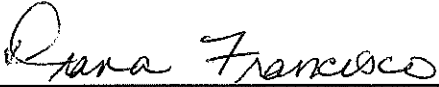
SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

SECTION 5. This Ordinance may be renumbered for codification purposes.

**TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX
STATE OF NEW JERSEY**

ATTEST:



Diana Francisco, Administrator/Clerk

By: _____


Janis McGovern, Mayor

Introduced 8-13-2018
Adopted 09-10-2018
Published 09-17-2018