

ORDINANCE NO. 2016 – 07

AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 273 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF LITTLE EGG HARBOR, ENTITLED “PROPERTY MAINTENANCE”

BE IT ORDAINED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 273, entitled “Property Maintenance,” so as to amend § 273-2, entitled “Additions, insertions, deletions and changes,” to amend subsection A (12) in its entirety to read as follows:

(12) Section 107.4 shall be deleted and in its place the following shall be inserted: "Except as otherwise provided for elsewhere in this code, any person violating or failing to comply with any of the provisions of this chapter shall, upon conviction therefor, be punished by a fine of not less than \$200 for; a first offense of not more than \$100 for a first offense; a fine of not more than \$500, community service, or both for a second offense; and a fine of not more than \$1,250, community service, imprisonment for a term not to exceed 90 days, or any combination thereof, for a third offense as determined in the discretion of the Judge of the Municipal Court. Any additional offenses subsequent to the third offense shall be treated as a third offense for sentencing purposes. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense."

SECTION 2. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 273, entitled “Property Maintenance,” so as to amend § 273-2, entitled “Additions, insertions, deletions and changes,” to amend subsection A (21) in its entirety to read as follows:

(21) Sections 111.1, 111.2.1, 111.2.2, 111.2.3, 111.2.4 and 111.2.5 shall be deleted.

SECTION 3. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 273, entitled "Property Maintenance," so as to amend § 273-2, entitled "Additions, insertions, deletions and changes," to amend subsection A (22) in its entirety to read as follows:

(22) Section 111.3 shall be deleted.

SECTION 4. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 273, entitled "Property Maintenance," so as to amend § 273-2, entitled "Additions, insertions, deletions and changes," to amend subsection A (23) in its entirety to read as follows:

(23) Sections 111.4, 111.4.1, 111.5, 111.6, and 111.6.2 shall be deleted in their entirety.

SECTION 5. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 273, entitled "Property Maintenance," so as to amend § 273-2, entitled "Additions, insertions, deletions and changes," to amend subsection A (30) so as to amend Section 302.4.4 in its entirety, as follows:

302.4.4 Abatement by municipality and costs as lien. In cases where the owner shall have refused, neglected or failed to abate any violation of Section 302.4 et. seq. hereof, the municipality may abate the violation by or under the direction of the code official. These costs shall become a lien against the dwelling or lands in accordance with the lien procedure established by N.J.S.A. 40:48-2.14 and N.J.S.A. 40:48-2.27, respectively. Fees and costs shall be assessed in accordance with the following rate schedule:

Labor: \$25.00 per hour per laborer

Public Works Vehicle Fee: \$65.00 per hour

Heavy Duty Tree and Brush Removal Equipment Fee: \$50.00 per hour

Loader/Backhoe Equipment Fee: \$95.00 per hour

All other mechanical equipment fee: \$30.00 per hour

Administrative Fee: \$100.00

Any disposal fees associated with landfill, recycling center, or hazardous waste will be assessed at the current rate charged by such facility.

Any fee charged by a contractor for work performed on the behalf of the Township for the abatement of any violation of Section 302.4 et seq.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 8. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the 11th day of August, **2016**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 8th day of September, **2016**, at 7:30 p.m. at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.


DIANA K. MCCRACKEN, RMC, Clerk
Township of Little Egg Harbor

Introduction

Motion to Introduce: Stevens Second: Schlick Roll Call:

Gormley yes
Kehm yes
Kobryn yes
Schlick yes
Stevens yes

Second Reading & Adoption

Motion to Adopt: Kehm Second: Gormley Roll Call:

Gormley yes
Kehm yes
Kobryn yes
Schlick yes
Stevens yes