

BOROUGH OF BOUND BROOK
County of Somerset

ORDINANCE NO. 2015:21

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XV,
HOUSING, OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF BOUND BROOK, TO AMEND PENALTIES**

BE IT ORDAINED, by the Mayor and Council of the Borough of Bound Brook, County of Somerset, State of New Jersey, as follows:

SECTION 1. Ordinance No. 2015-07, entitled "An Ordinance Amending and Supplementing Chapter XV, Housing, of the Revised General Ordinances of the Borough of Bound Brook to Amend Penalties," is hereby repealed in its entirety.

SECTION 2. Section 15-18, "Penalties for Offenses," is hereby amended and supplemented as follows by deleting the text [marked in bold and enclosed in brackets] and inserting the text underlined and marked in bold, to read as follows:

A. Violations of this Article will constitute a municipal infraction and will be subject to [applicable] the penalties under this Article, in addition to those imposed by any other applicable code or ordinance.

B. For violation of any provision of this Article, unless a specific penalty is otherwise provided in connection with the provision violated, the maximum penalty upon conviction of the violation shall one or more of the following: (i) imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners, for any term not exceeding 90 days; (ii) by a fine not exceeding \$2,000; or (iii) by a period of community service not exceeding 90 days.

C. For violations of violations of a housing or zoning code, the enforcement officer shall provide a 30-day period in which the owner shall be afforded the opportunity to cure or abate the condition and shall also be afforded an opportunity for a hearing before a court of competent jurisdiction for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than one thousand two hundred fifty (\$1,250) dollars may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

D. Except as otherwise provided, every day in which a violation of any provision of this Article exists shall constitute a separate violation.

SECTION 3. Section 15-19, "Penalties For Failure To Register As A Licensed Registered Operator," is hereby repealed by deleting the text [marked in bold and enclosed in brackets] as follows:

[15-19 PENALTIES FOR FAILURE TO REGISTER AS A LICENSED REGISTERED OPERATOR]

- [a. First offense: one hundred (\$100.00) dollars.]**
- [b. Subsequent offenses five hundred (\$500.00) dollars per offense.]**
- [c. Commencing ten (10) days after service of notice for the first offense, each day a violation continues shall be deemed a separate offense.]**

SECTION 4. Section 15-20, "Penalties For Allowing Occupancy Of A Rental Unit Without A Valid Rental License," is hereby amended and supplemented by deleting the text [marked in bold and enclosed in brackets] and inserted the text underlined and marked in bold, to read as follows:

15-20 [PENALTIES FOR] REVOCATION OF AUTHORIZATION AS A LICENSED REGISTERED OPERATOR FOR ALLOWING OCCUPANCY OF A RENTAL UNIT WITHOUT A VALID RENTAL LICENSE

In addition to the penalties provided for in Section 15-18, "Penalties for Offenses," allowing occupancy of a rental unit without a valid rental license shall subject the violator to revocation of authorization as a licensed registered operator.

- [a. First offense: two hundred (\$200.00) dollars.]**
- [b. Subsequent offenses: five hundred (\$500.00) dollars per offense and/or revocation of authorization as a licensed registered operator.]**
- [c. Commencing ten (10) days after service of notice for the first offense, each day a violation continues shall be deemed a separate offense.]**

SECTION 5. Severability Clause.

If any article, 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 and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

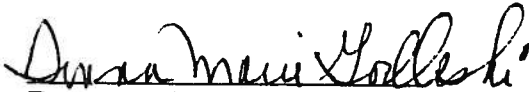
SECTION 6. Repealer.

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.


SECTION 7. Effective Date.

This ordinance shall take effect, following adoption and publication in accordance with the laws of the State of New Jersey.

ATTEST:


Donna Marie Godleski
Borough Clerk

BOROUGH OF BOUND BROOK

By: 
Robert Fazen
Mayor

Date of Introduction : July 14, 2015

Date of Adoption: July 28, 2015