

BOROUGH OF BOUND BROOK

ORDINANCE 2017-35

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVII, PROPERTY MAINTENANCE, OF THE GENERAL REVISED ORDINANCES OF THE BOROUGH OF BOUND BROOK TO REMOVE ANY CONFUSION REGARDING THE ISSUANCE OF A NOTICE OF VIOLATION

WHEREAS, the Mayor and Council of the Borough of Bound Brook have been informed that the existing language in Chapter 17-7.1, may lead to confusion as to the Borough's right to issue a summons without first issuing a Notice of Violation,

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Bound Brook, in the County of Somerset, State of New Jersey as follows:

SECTION 1: CHAPTER XVII of the General Revised Ordinances of the Borough of Bound Brook, entitled PROPERTY MAINTENANCE, 17-7.1 Notice to Person Responsible is hereby amended and supplemented by removing the strikethrough text and inserting the text underlined and marked in bold to read as follows:

17-7.1 Notice to Person Responsible

As prescribed in Section 17-6.2 the Director of Code Enforcement or Code Enforcement Inspector may file a summons and/or complaint in the Municipal Court or cause the issuance of the same, whether or not a notice of violation or order shall have been served Whenever the Director of Code Enforcement ~~determines that there has been a violation of the Code or has grounds to believe that a violation has occurred and~~ elects to issue a Notice of Violation in lieu of summons, notice shall be given in the manner prescribed in Sections 17-7.2 and 17-7.3 to the person responsible for the violation as specified in the Code. Notices for condemnation procedures shall also comply with Section 17-8.8.

SECTION 2: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in

effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law.

SECTION 5: CODIFICATION

This ordinance shall be a part of the Code of Borough of Bound Brook as though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

Approved:

Mayor Robert P. Fazen

Attest:

Donna Marie Godleski, Borough Clerk

Date of Introduction: November 28, 2017

Date of Adoption: December 12, 2017