

BOROUGH OF BOUND BROOK  
SOMERSET COUNTY

ORDINANCE NO. 2016: 27

**AN ORDINANCE AMENDING CHAPTER XVII, PROPERTY MAINTENANCE, SECTION 17-4, REGISTRATION AND MAINTENANCE OF PROPERTIES THAT ARE VACANT OR IN FORECLOSURE**

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Bound Brook, in the County of Somerset and State of New Jersey, that Chapter XVII, Property Maintenance, Section 17-4, Registration and Maintenance of Properties that are Vacant or in Foreclosure, be and is hereby amended and supplemented as follows:

**SECTION 1.** That Subsection 17-4.2, "Definitions," is hereby amended and supplemented by inserting the text underlined and marked in bold, to read as follows:

**17-4.2 Definitions**

For the purposes of this section, the following terms, phrases, words and their derivations shall have the meaning given herein. When consistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. The word "shall" is always mandatory and not merely directory.

\* \* \*

*Foreclosing* shall mean the process by which property, placed as security for a real estate loan, is prepared for sale to satisfy the debt if the borrower defaults.

**Owner shall mean the title holder, any agent of the title holder having authority to act with respect to the vacant property, any Creditor, or any other individual or entity having the authority to act with respect to the vacant property.**

*Property* shall mean any real estate, or portion thereof, located in the Borough of Bound Brook, including any improvements thereon.

\* \* \*

**SECTION 2.** That Subsection 17-4.3, "Registration of Vacant Properties; Designation of Responsible Individual," is hereby amended and supplemented by deleting the text [marked in bold and enclosed in brackets] and inserting the text underlined and marked in bold, to read as follows:

### **17-4.3 Registration of Vacant Properties; Designation of Responsible Individual**

a. All owners of vacant property must register such vacant properties with the Bound Brook Borough Clerk within fourteen (14) days of such property becoming vacant. The registration must be renewed **[annually] every six (6) months** as set forth below for as long as the property remains vacant.

b.-c. [No change].

d. The owners shall **[have a continuing duty to]** notify the Borough **within 10 days** of any changes to the information contained in the registration **by filing an amended registration statement on a form provided by the Borough.**

e.-f. [No change].

**SECTION 3.** That Subsection 17-4.5, "Registration Fees," is hereby amended and supplemented by deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold**, to read as follows:

### **17-4.5 Registration Fees**

The initial registration **fee** shall be five hundred (\$500.00) dollars, and **payment** must accompany the registration form. The initial registration shall be valid for **[the remainder of the calendar year in which the property is registered] six (6) months from initial registration; all subsequent renewals shall be valid for a period of six (6) months. The fee for the first renewal shall be one thousand five hundred (\$1,500.00) dollars; the fee for the second renewal shall be three thousand (\$3,000.00) dollars; and the fee for all subsequent renewals shall be five thousand (\$5,000.00) dollars.** [Renewals for subsequent calendar years shall run from January 1 to December 31, and payment of the renewal registration shall be due by January 15<sup>th</sup> of the relevant year. The fee for the first annual renewal shall be one thousand five hundred (\$1,500.00) dollars; the fee for the second annual renewal shall be three thousand (\$3,000.00) dollars, and the fee for the third and each subsequent renewal shall be five thousand (\$5,000.00) dollars.]

**SECTION 4.** That Subsection 17-4.6, "Maintenance Requirements," is hereby amended and supplemented by deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold**, to read as follows:

### **17-4.6 Maintenance Requirements**

a.-e [No change].

**f. Owners of vacant property shall affix or cause to be affixed to the vacant property, in a conspicuous place on the building at or near the main entrance facing the street, a sign that contains the name, address and emergency telephone number of the owner or owner's authorized agent. The dimensions of the sign shall be 4" by 6".**

**SECTION 5.** That Subsection 17-4.9, "Penalties," is hereby amended and supplemented by deleting the text **[marked in bold and enclosed in brackets]** and inserting the text **underlined and marked in bold**, to read as follows:

**17-4.9 Penalties**

a. Violation of any of the terms of this section shall be punishable by a fine of not less than one hundred (\$100.00) dollar nor greater than two thousand (\$2,000.00) dollars per occurrence in addition to any registration fee or renewal fee that may be due and owing. **Every day that a violation continues shall constitute a separate and distinct offense.** Each subsequent **[occurrence]** offense shall result in an increased penalty.

b. [No change].

**SECTION 6. 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 7. Repealer.**

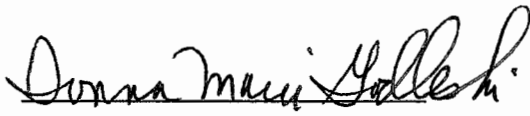
All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to 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 8. Effective Date.**

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

ATTEST:

BOROUGH OF BOUND BROOK



Donna Marie Godleski  
Borough Clerk

By: 

Robert Fazen  
Mayor

Date of Introduction: December 13, 2016

Date of Adoption: December 27, 2016