



MINE HILL TOWNSHIP

Municipal Building ~ 10 Baker Street ~ Mine Hill, New Jersey 07803
Tel: 973-366-9031 Fax: 973-366-1626

REGISTRATION STATEMENT FOR VACANT PROPERTY Pursuant to N.J.S.A. 55:19-78, et seq.

Registration is valid until the end of the calendar year and must be renewed annually by January 31st.

Initial Application Renewal Application Amended Application Date: _____

Registration Fee:

Initial: \$500.00 1st Renewal: \$1,500.00 2nd Renewal: \$2,500.00

3rd and Subsequent Renewal: \$5,000.00

Premises Covered by Registration:

Address: _____ Block: _____ Lot: _____

Mortgagee of Premises:

Name: _____

Address: _____

_____ Telephone: _____

Date Property Became Vacant: _____ Date Owner Acquired Property: _____

Name, Address, and 24-Hour Telephone Number of Designated Agent Authorized to Accept Notices of Code Violations and Process in Any Court Proceeding or Administrative Enforcement Proceeding:

Name: _____

Address: _____

_____ Telephone: _____

Name, Address, and 24-Hour Telephone Number Person Responsible for Maintaining and Securing Property (if different from Designated Agent):

Name: _____

Address: _____

_____ Telephone: _____

REGISTRATION STATEMENT FOR VACANT PROPERTY

Pursuant to N.J.S.A. 55:19-78, et seq.

Page 2 of 2

Premises Covered by Registration (from Page 1):

Address: _____ Block: _____ Lot: _____

In submitting this Registration Statement, I acknowledge that I have been given a copy of and read Chapter 390, Article V (Vacant Residential and Nonresidential Premises), and agree to comply with all provisions, including:

- Notifying the Municipality within 30 days of any change in the registration information by filing an amended Registration Statement (Section 390-25C).
- Providing the Mine Hill Township Construction Official or Code Enforcement Official with access to the property. If an inspection is required of the interior of the property due to complaints or other cause, the fee for such inspection shall be the same as that for a Certificate of Occupancy inspection (Section 390-26A).
- Posting a sign affixed to the inside of the building indicating the name, address and telephone number of the owner, the owner’s authorized agent for the purpose of service of process, and the person responsible for the day-to-day supervision and management of the building, if different from the owner holding title or authorized agent (Section 390-28A).
- Meeting minimum standards for basic equipment and facilities (Section 390-28B).

Print Name: _____

Signature: _____

Address: _____

_____ Telephone: _____

(FOR OFFICE USE ONLY)

Date Registration Submitted: _____ For Calendar Year: _____

Initial Application Date \$ 500.00 Fee Paid: _____

1st Renewal Date \$1,500.00 Fee Paid: _____

2nd Renewal Date \$2,500.00 Fee Paid: _____

3rd and Subsequent Renewal Date \$5,000.00 Fee Paid: _____

Copies to: Construction Official Fire Marshal Health Officer

Public Works Department Police Department

Chapter 390. Property Maintenance

Article V. Vacant Residential and Nonresidential Premises

[Added 3-19-2015 by Ord. No. 10-15]

§ 390-24. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ABANDONED PROPERTY

As defined in accordance with the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall mean the following:

- A. Except as provided in Section 6 of P.L. 2003, c. 210 (N.J.S.A. 55:19-83), any property that has not been legally occupied for a period of six months and which meets any one of the following additional criteria may be deemed to be abandoned property upon a determination by the public officer that:
- (1) The property is in need of rehabilitation in the reasonable judgment of the public officer, and no rehabilitation has taken place during that six-month period;
 - (2) Construction was initiated on the property and was discontinued prior to completion, leaving the building unsuitable for occupancy, and no construction has taken place for at least six months as of the date of a determination by the public officer pursuant to this section;
 - (3) At least one installment of property tax remains unpaid and delinquent on that property in accordance with Chapter 4 of Title 54 of the Revised Statutes as of the date of a determination by the public officer pursuant to this section; or
 - (4) The property has been determined to be a nuisance by the public officer in accordance with Section 5 of P.L. 2003, c. 210 (N.J.S.A. 55:19-82).
- B. A property which contains both residential and nonresidential space may be considered abandoned pursuant to P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et al.), so long as 2/3 or more of the total net square footage of the building was previously legally occupied as residential space and none of the residential space has been legally occupied for at least six months at the time of the determination of abandonment by the public officer and the property meets the criteria of either Subsection **A(1)** or Subsection **A(4)** of this definition.

EVIDENCE OF VACANCY

Any condition that, on its own or combined with other conditions present, would lead a reasonable person to believe that the property is or has been vacant for three or more months. Such evidence would include but is not limited to evidence of the existence of two or more of the following conditions at a property: overgrown or dead vegetation;

accumulation of newspapers, circulars, flyers or mail; past due utility notices or disconnected utilities; accumulation of trash, junk or debris; the absence of window coverings such as curtains, blinds or shutters; the absence of furnishings or personal items consistent with residential habitation; statements by neighbors, delivery agents, or government employees that the property is vacant or abandoned; infestation by insects, vermin, rats or other pests; windows or entrances that are boarded up or closed off; multiple window panes that are damaged, broken or unrepaired; doors that are smashed, broken, unhinged or continuously unlocked; a risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property; or any uncorrected violation of a municipal building, housing or similar code during the preceding year. Property determined to be abandoned property in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall also be deemed to be vacant property for the purposes of this article.

OWNER

Includes the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of N.J.S.A. 46:10B-51 (P.L. 2008, c. 127, Section 17), or any other entity determined by the Township of Mine Hill to have authority to act with respect to the property.

VACANT PROPERTY

Any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased for a period of at least three months, and any commercial property that has not been legally occupied or at which substantially all lawful construction operations have ceased for a period of at least three months, and which exhibits evidence of vacancy such that a reasonable person would believe that the property is vacant. Any property that contains all building systems in working order, is being maintained on a regular basis, has not been cited by the Township for any violation of a municipal ordinance within such time and is being actively marketed by its owner for sale or rental shall not be deemed vacant.

§ 390-25. General requirements.

- A. The owner of any vacant property, as defined herein, shall within 30 days after the building becomes vacant property or within 30 days after assuming ownership of the vacant property, whichever is later, file a registration statement for each such vacant property with the Township of Mine Hill Clerk on forms provided by the Clerk for such purposes, as well as any additional information that the Clerk may reasonably request. The registration shall remain valid until the end of the calendar year. The owner shall be required to renew the registration annually, no later than January 31, as long as the building remains vacant property and shall pay a registration or renewal fee in the amount as set forth in Chapter **235**, Fees, for each vacant property registered.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

- B. Any owner of any building that meets the definition of "vacant property" prior to the date of adoption of this article shall file a registration statement for that property on or before May 31, 2015. The registration statement shall include the information required under § **390-26** of this article, as well as any additional information that the Township may reasonably require.
- C. The owner shall notify the Clerk within 30 days of any change in the registration information by filing an amended registration statement on a form provided by the

Clerk for such purpose.

- D. The registration statement shall be deemed prima facie proof of the information therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township of Mine Hill against the owner or owners of the property.

§ 390-26. Registration statement requirements; property inspection.

- A. After filing a registration statement or a renewal of a registration statement, the owner of any vacant property shall provide the Township of Mine Hill Construction Official or Code Enforcement Official with access to the property, following reasonable notice, during the period covered by the initial registration or any subsequent renewal. If an inspection is required of the interior of the property due to complaints or other cause, the fee for such inspection shall be the same as that for a certificate of occupancy inspection.
- B. The registration statement shall include the name, street address, and telephone number of a natural person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding, on behalf of such owner or owners in connection with the enforcement of any applicable code. The designated agent must have a contact number that will be available 24 hours per day on an emergency basis. The statement shall also include the name of the person responsible for maintaining and securing the property, if different from the designated agent.
- C. An owner who is a natural person and who meets the requirements of this article as to availability of a contact number on a twenty-four-hour emergency basis may designate himself or herself as agent.
- D. By designating an authorized agent under the provisions of this section, the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purpose of this section until the owner notifies the Township of Mine Hill of a change of the authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this article.

§ 390-27. Fee schedule.

[Amended 5-7-2015 by Ord. No. 16-15^[1]]

The registration fee for each building that has become vacant or abandoned property shall be as set forth in Chapter **235**, Fees.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

§ 390-28. Responsibilities of owners and other persons.

- A. The owner of any building that has become vacant or abandoned property, and any person maintaining, operating or collecting rent for any such building that has become vacant, shall immediately post a sign affixed to the inside of the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to § **390-26**), and the person responsible for the day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a locations so as to be legible, to the extent possible, from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 15 inches by 17 inches.
- B. Basic equipment and facilities. Every unoccupied or vacant residential or nonresidential property must comply with the following minimum standards for basic equipment and facilities:
- (1) Plumbing. All plumbing fixtures shall be properly installed and be in sound condition and good repair. The property shall be winterized by the cessation of water service to the property and the draining of waterlines.
 - (2) Electricity. Every existing outlet and fixture shall be properly connected. Wiring and service lines shall be maintained in good and safe working condition.
 - (3) Heating plant. The heating plant shall be maintained in a safe condition.
 - (4) Cooking equipment. All cooking equipment shall be maintained in a safe condition.
 - (5) Electrical and gas utility services shall be discontinued until the property is again legally occupied or demolished, or until repair or rehabilitation of the property is complete.
- C. Storage and boarding up of building.
- (1) No room within any vacant or unoccupied property shall be used for storage or junk, rubbish or wastes, furniture or building materials not intended to be used in the existing property.
 - (2) The boarding up of doors and windows shall not be permitted except with the permission of the enforcement officer in emergency situations. When doors and windows are boarded up, they shall be covered with no less than one-half-inch exterior plywood or equivalent.
 - (3) Buildings on vacant properties shall be secured against unauthorized entry until the building is again legally occupied or demolished, or until repair or rehabilitation of the property is complete.
- D. Safe and sanitary maintenance. All unoccupied or vacant properties shall comply with the following minimum standards for safe and sanitary maintenance:
- (1) Every foundation, exterior wall or exterior roof shall be weathertight, watertight and rodentproof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
 - (2) Every floor, interior wall and ceiling shall be substantially rodentproof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

- (3) Every window, exterior door and basement or cellar door and hatchway shall be weathertight, watertight, rodentproof and locked and shall be kept in sound condition and good repair.
- (4) Every inside and outside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and good repair.
- (5) Every yard shall be properly graded so as to prevent the accumulation of stagnant water.
- (6) There shall be a controlled method of disposing of water from roofs by use of gutters and downspouts, which shall be installed and maintained in sound condition, free of leaks and obstructions.
- (7) Every dwelling's cellar, basement and crawl space shall be maintained from excessive dampness and leakage.
- (8) The exterior of every structure or accessory structure shall be maintained free of broken windows, loose shingles, crumbling stone or brick or excess peeling paint.
- (9) The exterior of the premises and the condition of accessory structures shall be maintained so that the appearance of the premises and all buildings thereof shall reflect a level of maintenance in keeping with the standards of the neighborhood and such that the appearance of the premises and structures shall not constitute a blighting factor for adjoining property owners nor an element leading to the progressive deterioration and downgrading of the neighborhood with the accompanying diminution of property values.

E. Further responsibilities of owners. All owners of unoccupied or vacant buildings shall be required to comply with the following standards:

- (1) Any yard area (front, side and rear) adjacent to an unoccupied or vacant building shall be cleared and maintained free of trash, solid debris or any other materials that cause litter to accumulate to unhealthy and blighting proportions.
- (2) Grass and weeds shall not be permitted to grow or remain on the side, front and/or rear yards of any unoccupied or vacant building so as to exceed a height of 10 inches.
- (3) Unoccupied or vacant buildings shall not be utilized for storage of any hazardous materials, whether solid or liquid, including the yard portion of that building.
- (4) When a vacant dwelling is found to be infested with rats, termites, roaches and/or any other insects and vermin, the owner shall undertake an expedient means of extermination of such nuisances.
- (5) All doors and/or lids on appliances, on furniture utilized for storage or on heating furnaces shall be locked in order to deny entry to an individual where the potential for physical harm or death may result should said door or lid close and prevent the individual's escape.
- (6) Provision shall be made for the cessation of the delivery of mail, newspapers and circulars to the property.

F. The standards and requirements of this section shall apply as long as any dwelling remains vacant or unoccupied. Upon occupancy, the other appropriate sections of this chapter shall prevail.

§ 390-29. Administration and enforcement.

- A. The Township of Mine Hill Mayor and Council may issue rules and regulations for the administration of the provisions of this article.
- B. The provisions of this article shall be enforced as set forth and pursuant to Article **IV** of this chapter to the full extent applicable.

§ 390-30. Violations and penalties.

- A. Any owner who is not in full compliance with this article or who otherwise violates any provision of this article or of the rules and regulations issued hereunder shall be subject to a fine of not less than \$100 and not more than \$2,000 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this article shall be recoverable from the owner and shall be a lien on the property.
- B. For purposes of this article, failure to file a registration statement in time, failure to provide correct information on the registration statement, failure to comply with the provisions of § **390-26**, or such other matters as may be established by the rules and regulations of the Council of the Township of Mine Hill shall be deemed to be violations of this article.

§ 390-31. Compliance with other provisions.

Nothing in this article is intended to nor shall be read to conflict or prevent the Township of Mine Hill from taking action against buildings found to be unfit for human habitation or unsafe structures as provided in applicable provisions of the Township Code and/or the Uniform Construction Code. Further, any action taken under any such code provision other than the demolition of a structure shall not relieve an owner from its obligations under this article.