

**BOROUGH OF BERGENFIELD  
PUBLIC NOTICE**

**ORDINANCE 17-2512 AN ORDINANCE AMENDING ORDINANCE NO. 05-2360/CHAPTER 232 OF THE BOROUGH OF BERGENFIELD ENTITLED "PROPERTY MAINTENANCE"**

was introduced at a regular meeting of the Mayor and Council of the Borough of Bergenfield, in the County of Bergen, New Jersey, held on Tuesday, June 20, 2017 and will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Council Chambers, Bergenfield Municipal Center, 198 North Washington Avenue, Bergenfield, New Jersey on Tuesday, July 18, 2017 at 8:00 p.m. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement is to amend the ordinance to reflect the Borough's adoption of the 2015 Edition of the International Property Maintenance Code, to include that an authorized public officer or any other local official responsible for the administration of any property maintenance or public nuisance code to issue a notice to the creditor filing the summons and complaint in action to foreclose if the public officer determines that the creditor has violated the ordinance by failing to provide for the care, maintenance, security, and upkeep of the exterior of the property, and set violations to a creditor found to be in violation of the requirement. Furthermore, the ordinance provides the Borough the opportunity to abate the property at its own expense and risk, set a fine of up to \$1,500, and recover costs for public funds expended to abate a nuisance or correct a violation, as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, 198 North Washington Avenue, Bergenfield, New Jersey.

Marie Quinones, RMC  
Borough Clerk  
Dated: June 28, 2017

**BOROUGH OF BERGENFIELD**  
**Ordinance No. 17-2512**

**AN ORDINANCE AMENDING CHAPTER 232 OF THE CODE OF THE BOROUGH OF BERGENFIELD,  
ENTITLED "PROPERTY MAINTENANCE"**

**WHEREAS**, Chapter 232 of the Code of the Borough of Bergenfield sets forth all regulations regarding Property Maintenance within the Borough of Bergenfield; and,

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Bergenfield, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 232-8. entitled Enforcement.

A public officer appointed pursuant to P.L. 1942, c. 112 (N.J.S.A. 40:48-2.3 et seq.), or any other local official responsible for administration of any property maintenance or public nuisance code to issue a notice to the creditor filing the summons and complaint if the public officer or other authorized municipal official determines that the creditor has violated the ordinance by failing to provide for the care, maintenance, security and upkeep of the exterior of the property. Such notice shall require the person or entity to correct the violation within ten (10) business days of receipt of the notice, or within five (5) business days of receipt of the notice if the violation presents an imminent threat to public health and safety.

Chapter 232-10. entitled "Maintenance of Properties in Foreclosure" is deleted in its entirety and replaced as follows:

Chapter 232-10 entitled Failure to Abate.

If the public officer or other authorized municipal official determines that the owner, tenant, creditor, or other responsible party has failed to abate the violation within ten (10) days receipt of notice, or within five (5) days receipt of a notice that the violation presents an imminent threat to the public safety, the Borough shall cause the violation to be abated at its own expense and risk. The Borough may retain and pay a private service to abate the violation at reasonable cost or direct the Bergenfield Department of Public Works to abate the violation. The Bergenfield Department of Public Works will abate violations after normal working hours at the following rate: A two-man crew at \$90/per hour per man with an equipment charge of \$150 per incident.

Chapter 232-11 entitled Penalties.

An owner, tenant or any responsible party for the care, maintenance, security or upkeep of a property cited in a notice pursuant to this ordinance by the public officer shall be subject to a fine of up to \$1,500. Any fines imposed pursuant to this paragraph shall commence ten (10) days following receipt of the notice, except if the violation represents an imminent risk to public safety, in which case any fines shall commence five (5) business days following receipt of the notice.

Chapter 232-12 entitled Recovery of Costs

If the Borough expends public funds in order to abate a nuisance or correct a violation on a residential property in situations in which the creditor was given notice pursuant to the provisions of the public officer, but failed to abate the nuisance or correct the violation as directed, the municipality shall have the same recourse against the creditor as it would have against the title owner of the property, including but not limited to the recourse provided under Section 23 of P.O. 2003, c. 210 (N.J.S.A. 55:19-100).

The Public Official shall certify the costs to the Borough Administrator as well as the Mayor and Council, which shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against such lands. The amounts so charge shall forthwith become a lien upon such lands and shall be added to and become part of the taxes next to be assessed and levied upon such lands, and shall bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

Chapter 232-13. The 2015 International Property Maintenance Code is hereby adopted by the Municipality in its entirety and shall be supplemented as follows:

Sec. 302.4 Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8") inches.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

***Introduced: June 20, 2017***

***Adopted:***

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***Attest***

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***Approval***