

**TOWNSHIP OF DENNIS**

**COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**ORDINANCE NO. 2017-06**

**AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY, AND  
STATE OF NEW JERSEY AMENDING ORDINANCE NO. 2016-06 ENTITLED  
“PROPERTY, ABANDONED AND NUISANCE**

**BE IT ORDAINED**, by the TOWNSHIP COMMITTEE, the governing body of the Township of Dennis, County of Cape May and State of New Jersey, that ORDINANCE 2016-06 of the Township of Dennis Inserting Chapter \_\_\_ of the Code of the Township of Dennis entitled “PROPERTY, ABANDONED AND NUISANCE” be and is hereby amended as follows:

**SECTION 1:** The following shall be added to the previously adopted Ordinance in **Section1 Definitions**, which is hereby amended as follows:

- A. The following sentence shall be added to the existing definition of **Vacant Property**:  
Second homes, which are occasionally vacant but are periodically occupied by the owner, shall be excluded from this definition; however, nothing herein shall exclude such properties from mandatory compliance with all applicable property maintenance codes.

**SECTION 2:** Section 2 of the existing Ordinance shall be and is hereby amended as follows:

- A. The time frames set forth in Section 2(A) shall be and are hereby amended as follows:
1. **60 days shall be amended to 120 days**
  2. **30 days shall be amended to 60 days**
- B. The time frame set forth in Section 2 (D) shall be and is hereby amended as follows:
1. **30 days shall be amended to 90 days**

**SECTION 3:** Section 5 of the existing Ordinance shall be and is hereby amended as follows:

- A. The time frame set forth in Section 5 (1) shall be and is hereby amended as follows:
  - 1. **30 days shall be amended to 90 days**
- B. The following paragraph shall be and is hereby added as 5 (1) (D):
  - 1. A property shall be exempted from this Section 5 if the owner demonstrates that said property is actively listed for rental with a Licensed New Jersey Real Estate Broker and the property is fully code compliant.

**SECTION 4:** The following provisions shall be added to the existing Ordinance as Sections 7 and 8 respectively:

- A. Section 7 **Appeal to Governing Body.** Any Owner or Creditor may, within 30 days of the issuance of a notice of violation under this chapter, appeal by letter to the Governing Body, with a request to be heard, in order to request relief from the provisions of this chapter due to compelling circumstances. Said letter shall outline the unique circumstances for the relief sought. The Governing Body may elect to grant the appellant an opportunity to be heard at a regular meeting of the Governing Body and, subsequently decide to grant the relief requested, or may reasonably deny either or both in its discretion.
- B. Section 8 **Valid Building Permit Exemption.** Properties which have a valid building permit and are actively performing work in compliance with same shall be exempt from the provisions of this Chapter.

**SECTION 5:** Any other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency.

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**SECTION 6:** Should any section, paragraph, sentence or clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and to this end the provisions of this Ordinance are hereby declared to be severable.

**SECTION 7:** This Ordinance shall become effective immediately upon final passage and publication, according to law.

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Zeth Matalucci, Mayor

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Julie Fry-DeRose, Deputy Mayor

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Lisa Salimbene, Committee Member

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Melanie Smith, Committee Member

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Donald Tozer, Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on July 25, 2017. Publication will be held on August 02, 2017 and a Public Hearing will be held at a meeting of the said Township Committee to be held on August 22, 2017 at 5:00 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

**ATTEST** \_\_\_\_\_  
**Jacqueline B. Justice, RMC/Clerk**