

TOWNSHIP OF DENNIS

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

ORDINANCE NO. 2021-05

**AN ORDINANCE OF THE TOWNSHIP OF DENNIS AMENDING ARTICLE II,
CHAPTER 145 OF THE DENNIS TOWNSHIP CODE, GOVERNING
PROPERTY MAINTENANCE**

WHEREAS, Township of Dennis, a township form of government, is governed by statutes, specifically N.J.S.A. 40A:63-1, *et seq.* that allow the Township Committee to pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law;

WHEREAS, Article II, Chapter 145 of the Revised General Ordinances of the Township of Dennis currently outlines property maintenance requirements for owners and tenants within the confines the Township of Dennis;

WHEREAS, currently, Chapter 145 of the Revised General Ordinances of the Township of Dennis sets forth, among other things, that the Superintendent of Public Works or Supervisor of the Roads shall be responsible for the investigation of property maintenance complaints and shall abate the complained of properties if necessary;

WHEREAS, the Township Committee believes it desirable, and in the best interest of the Township and its citizens to transfer the investigation and remediation authority to the Township's Code Enforcement Official;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey as follows:

Section 1. Portions of Article II, Chapter 145 of the Township of Dennis Municipal Code are amended as follows (additions are underlined; deletions are [bracketed]):

ARTICLE II, Chapter 145 Property Maintenance

145-2. Investigation of complaints; notification of owner or occupant; reinspection.

After an investigation of a complaint of a resident, officer or employee of the township relative to a violation of this chapter or upon his own motion, the [Superintendent of Public Works or Supervisor of Roads] Code Enforcement Official and/or his designee, shall investigate the complaint. If the reported conditions are found to exist, the [Superintendent

of Public Works or Supervisor of Roads] Code Enforcement Official and/or his designee, shall notify the owner, tenant or person in possession of the lands complained of, in writing, either personally or by certified mail to his last known address, to remove such brush, weeds, ragweed, dead or dying trees, stumps, roots, obnoxious growth, filth, garbage, trash or debris within 10 days after notice. The [Superintendent of Public Works or Supervisor of Roads] Code Enforcement Official and/or his designee, shall reinspect the lands in question after the ten-day period expires to determine if the complaint about conditions have been cured. [and report, in writing, to the Township Committee if the condition has not been altered or remedied.]

145-3. Abatement of township; costs to become lien.

If the owner, tenant or person in possession of the lands in question shall fail to abate the condition complained of within 10 days after notice, the [Superintendent of Public Works or Supervisor of the Roads] Code Enforcement Official and/or his designee shall cause the condition complained of to be abated and shall certify the cost to the Township Committee, which shall examine the certificate and, if it is correct, cause the cost as shown thereon to be charged against the lands. The amount so charged shall become a lien upon the lands and shall be added to and become a party of the taxes next to be assessed and levied upon the lands, shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes. Costs shall be in addition to any penalties imposed for any violation of this chapter.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, 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 4. This Ordinance shall take effect within twenty (20) days of final passage and publication, as provided by law.

Zeth A. Matalucci, Mayor

Scott J. Turner, Deputy Mayor

Thomas Van Artsdalen, III, Committee Member

Matthew Cox, Committee Member

Frank L. Germanio, Jr., Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on July 27, 2021. Publication will be held on August 02, 2021 and a Public Hearing will be held at a meeting of the said Township Committee to be held on August 10, 2021 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST _____
Jacqueline B. Justice, RMC/Clerk