Ord. #29 - 2013

AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE, IN THE COUNTY OF MORRIS, STATE OFNEW JERSEY, PROVIDING FOR A FEE ASSESSMENT FOR COSTS INCURRED BY THE TOWNSHIP OF MOUNT OLIVE IN ENFORCEMENT AND PERFORMANCE OF PROPERTY MAINTENANCE IN ACCORDANCE WITH THE PROPERTY MAINTENANCE CODE OF THE TOWNSHIP OF MOUNT OLIVE [TO BE INCORPORATED INTO CHAPTER 185 OF THE MOUNT OLIVE TOWNSHIP CODE]

WHEREAS, the Township expends a substantial amount of its limited resources to enforce and perform property maintenance on privately owned real property within the Township that is not maintained by the owners of the real property in accordance with the Township's property maintenance code; and

WHEREAS, it was decided by the Township that a revision to the Township's property maintenance code to institute a flat minimum fee with an hourly fee component for costs incurred by the Township in enforcing the property maintenance code is warranted;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mount Olive, in the County of Morris, State of New Jersey as follows:

Chapter 185 of the Mount Olive Township Code entitled, "Property Maintenance" is hereby amended to incorporate the following,

SECTION 1. Each time that the Township, or its outside contractor, performs maintenance on a privately owned property located within the Township to bring that property into compliance with the Township's property maintenance code, due to the real property owner's failure to do so, a flat minimum fee assessment of $125.00 for property maintenance visits that take one hour or less will be levied against the subject property representing the Township's costs in performing such maintenance.

SECTION 2. For those property maintenance visits that take more than one hour, the assessment shall be the flat fee of $125.00 plus an hourly rate of $125.00 per hour for the additional time spent after the first hour by the Township's, or its outside contractor's, employee(s) during the property maintenance visit.

SECTION 3. The total fee assessment for each maintenance visit will be a municipal lien against the real property upon which such cost was incurred as set forth in Chapter 185, entitled "Property Maintenance", Section 35, entitled "Costs a municipal lien."

SECTION 4. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 5. This ordinance may be renumbered for purposes of codification.

TOWNSHIP OF MOUNT OLIVE

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Colleen Labow, Council President

ATTEST:

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Lisa Lashway, Township Clerk