

**TOWNSHIP OF FRANKLIN  
COUNTY OF HUNTERDON**

**ORDINANCE 2018 11**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF  
HUNTERDON, STATE OF NEW JERSEY AMENDING AND  
SUPPLEMENTING THE TOWNSHIP CODE CHAPTER 268  
“RESIDENTIAL MAINTENANCE” TO ADD A NEW SECTION 268-2.1  
ENTITLED “REGISTRATION OF VACANT AND ABANDONED  
PROPERTIES”**

**WHEREAS**, mortgage foreclosures often result in the abandonment and neglect of residential properties; and

**WHEREAS**, P.L. 2014, c. 35, authorizes municipalities to adopt ordinances for the purpose of regulating the care, maintenance, security and upkeep of the exterior of vacant and abandoned properties for which a creditor has filed an action to foreclose; and

**WHEREAS**, it is in the public interest for the Township of Franklin to establish a mechanism to identify and track vacant and abandoned residential properties in the Township which are in foreclosure, to establish standards for the maintenance of those properties and to enforce those standards of maintenance;

**NOW, THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Franklin, in the County of Hunterdon and the State of New Jersey, duly assembled in public session, as follows:

Section 1.

Chapter 268 “Residential Maintenance” shall be amended to add new section 268-2.1 “Registration of Vacant and Abandoned Properties” which reads as follows:

§ 268-2.1 Registration of Vacant and Abandoned Properties.

- A. A Creditor filing a summons and complaint in an action to foreclose on a Vacant and Abandoned property, or a Creditor who has previously filed a summons and complaint to foreclose on a residential property which subsequently becomes Vacant and Abandoned, shall within thirty (30) calendar days after the building becomes Vacant and Abandoned or within thirty (30) calendar days after assuming ownership of the Vacant and Abandoned property, whichever is later; or within ten (10) calendar days of receipt of notice from the Township, and annually thereafter, file a registration statement for such Vacant and Abandoned property with the municipal clerk on forms provided by the Township for such

purposes. Any failure to receive notice by the Township shall not constitute grounds for failing to register the Vacant and Abandoned property.

- B. Each Vacant and Abandoned property having a separate block and lot number as designated in the official tax maps of the Township shall be registered separately.
- C. The registration statement shall include name, street address, telephone number, and email address (if applicable) of a person twenty-one (21) years or older, designated by the Creditor 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 Creditor in connection with the enforcement of any applicable code.
- D. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the Vacant and Abandoned property. The individual or representative of the firm responsible for maintaining the Vacant and Abandoned property shall be available by telephone or in person on a twenty-four-hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities must maintain offices in the State of New Jersey or reside within the State of New Jersey.
- E. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31<sup>st</sup> of the year in which it was filed. The Creditor shall be required to renew registration annually as long as the building remains Vacant and Abandoned and shall pay a registration or renewal fee in the amount prescribed in Paragraph c. of this Section for each Vacant and Abandoned property registered.
- F. The annual renewal shall be completed by January 1<sup>st</sup> each year. The initial registration fee shall be prorated for registration statements received less than ten (10) months prior to that date.
- G. The Creditor shall notify the municipal clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the municipal clerk for such purpose.
- H. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township against the Creditor.

I. Fee Schedule

The initial registration fee for each Vacant and Abandoned property under the provisions of this Section shall be five hundred dollars (\$500.00). The fee for the first annual renewal shall be one thousand hundred dollars (\$1,000.00) and the fee for the second annual renewal shall be one thousand five hundred dollars (\$1,500.00).

The fee for any subsequent annual renewal beyond the second renewal shall remain two thousand dollars (\$2,000.00).

Vacant Property Fee Schedule:

Initial Registration	\$ 500.00
First Renewal	\$ 1,000.00
Second Renewal	\$ 1,500.00
Any Subsequent Renewal	\$ 2,000.00

Section 2.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3.


Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only. All other parts of the Code of the Township of Franklin not inconsistent herewith are ratified and confirmed.

Section 4.

This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

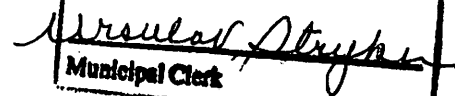
**NOTICE**

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Franklin held on May 24, 2018, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on June 28, 2018 at 7:00 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 202 Sidney Road, Pittstown, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

  
Ursula V. Stryker, RMC

ADOPTED; 7-12-2018

I do hereby certify the above is a true and exact copy of an ordinance adopted by the Township Committee of the Township of Franklin.

  
Municipal Clerk