

AN ORDINANCE AMENDING CHAPTER 11, PROPERTY MAINTENANCE OF
THE CODE OF THE TOWNSHIP OF FAIRFIELD
Regarding Section 11-1.2- FINES AND PENALTIES

WHEREAS, the Governing Body of the Township of Fairfield finds it necessary to amend Chapter 11, Section 11-1.2 regarding fines and penalties for violations of the Property Maintenance Code and to add new language to Section 11-1.2 identifying a revision to the BOCA 2000 International Property Maintenance Code at Section 106.4 to improve the ability of the Township to enforce appropriate property maintenance:

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY AS FOLLOWS:

1. Chapter 11, PROPERTY MAINTENANCE CODE: Shall be and is hereby amended as follows:

Changes to Section 11-1.2, revising the reference to BOCA International Property Maintenance Code as Section 106.4 and adding language to follow to read as follows:

Enforcement; Notice of Violation; Action by Township.

- a. This section shall be administered and enforced by the Code Enforcement Official.
- b. Upon determination by the Code Enforcement Official that violation of subsection 11-1.1 exists, he shall serve upon the occupant or user of the premises a written notice of the violation and shall mail a copy of the notice to the owner of record of the subject premises at the address shown on the last preceding assessment roll. If the violation is not corrected within ten (10) days of the issuance of the notice, the Code Enforcement Official is authorized, empowered and permitted to apply for relief before any Court of competent jurisdiction by the filing of a complaint alleging the violation hereof.
- c. In addition to any penalty provided for in this section or any other ordinance of the Township, the Code Enforcement Official, upon the direction of the Township Council, is hereby authorized and empowered to provide such services to cure the violation to ensure maintenance of vacant structures and premises thereof or vacant land in clean, safe, secure and sanitary condition so as to not cause a blighting problem or adversely affect the public health or safety and to ensure all premises and exterior property are free from weeds or plant growth in excess of 10 inches (24 mm), if after thirty (30) days have expired since the issuance of letters by registered mail addressed to the owner of record of the premises as shown on the last preceding assessment roll, such maintenance required to be performed by or on behalf of the owner has not been accomplished.
- d. All costs and expenses incurred by the Township in connection with any action hereinabove described shall be assessed against the land on which the screening facilities are located. Any time a notice is sent pursuant to the provisions of this section, a copy of this section shall be attached to the notice.

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged to be invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed, valid and effective.
4. This Ordinance shall take effect immediately upon passage and publication in accordance with law.



JAMES W. GASPARINI, MAYOR

ATTEST:



DENISE D. CAFONE, MUNICIPAL CLERK

NOTICE

Notice is hereby given that the foregoing ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on **August 27, 2012** introduced and read by title and passed first reading, and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on **September 24, 2012** was rescheduled to Monday, **October 1, 2012** at the Municipal Building, 230 Fairfield Road, Fairfield, New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

Denise D. Cafone
Municipal Clerk

INTRODUCTION OF ORDINANCE August 27, 2012:

ORDINANCE #2012-13 AN ORDINANCE AMENDING CHAPTER 11, PROPERTY MAINTENANCE OF THE CODE OF THE TOWNSHIP OF FAIRFIELD Regarding Section 11-1.2- FINES AND PENALTIES

INTRODUCED BY: COUNCILMAN MORGAN
SECONDED BY: COUNCIL PRESIDENT CIFELLI
PUBLISHED: September 6, 2012

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NOT VOTING
COUNCIL PRESIDENT JOSEPH CIFELLI	x				
COUNCILMAN THOMAS J. MORGAN	x				
COUNCILMAN MICHAEL B. MCGLYNN				X	
COUNCILMAN JOHN LAFORGIA	x				
MAYOR JAMES GASPARINI	x				

2ND READING AND PUBLIC HEARING RESCHUDLED FOR OCTOBER 1, 2012

INTRODUCED BY: COUNCIL PRESIDENT CIFELLI
SECONDED BY: COUNCILMAN MORGNA
PUBLISHED: OCTOBER 4, 2012

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NOT VOTING
COUNCIL PRESIDENT JOSEPH CIFELLI	X				
COUNCILMAN THOMAS J. MORGAN	X				
COUNCILMAN MICHAEL MCGLYNN	X				
COUNCILMAN JOHN LAFORGIA	X				
MAYOR JAMES GASPARINI	X				