

The Regular Meeting of the Alloway Township Committee of the Township of Alloway, County of Salem was held at 7:00 p.m. in the Municipal/Senior Citizen Building in accordance with the Annual Notice adopted January 2, 2018, advertised in the South Jersey Times and the Elmer Times, posted in the Alloway Township Post Office and the Municipal Clerks Foyer in compliance with Public Law 1975, Chapter 231.

The meeting was called to order by Mayor K. Myrle Patrick, followed by the flag salute.

Roll Call - Present: Morgan, Reilly, Patrick

Absent:

Municipal Clerk, Charlet Cheeseman was also in attendance.

Rev. Jim Whitt, of Ranch Hope opened the meeting in prayer.

MINUTES

Minutes of the following meetings were reviewed by the Committee. Motion was made by Reilly, seconded by Morgan, to dispense with the reading of and approve the minutes.

January 16, 2018 - Finance

January 18, 2018 - Regular

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

BILLS

On motion by Reilly, seconded by Morgan, the attached bill list was approved by the Finance Committee on February 12, 2018 and was ordered paid.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

PUBLIC SESSION

Mayor Patrick asked for a motion to open public session and anyone wishing to speak, should stand, approach the microphone, state their name and where they reside, and briefly in five (5) minutes or less state your comments to the Township Committee.

On motion by Reilly, seconded by Morgan, public session was opened.

Vote: All in favor

Mayor Patrick seeing no one wishing to speak asked for a motion to close the public session.

On motion by Reilly, seconded by Morgan, public session was closed.

Vote: All in favor

RESOLUTION 18-44 AMENDING POSITION OF SUZANNE DORRELL,
BOARD OF RECREATION COMMISSIONERS

Resolution No. 18-44, amending Suzanne Dorrell position to President of the Board of Recreation Commissioners was adopted on motion by Reilly, seconded by Morgan.
Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

RESOLUTION 18-45 APPOINTING "AS NEEDED" UNIFORM CODE OFFICIALS
TO THE ALLOWAY TOWNSHIP CONSTRUCTION DEPARTMENT

Resolution No. 18-45, appointing "as needed" Uniform Code Officials, per Andy Hoglen, Construction Code Official was adopted on motion by Reilly, seconded by Morgan.
Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

RESOLUTION 18-46 SUPPORTING THE PRESERVATION OF HISTORIC
DELAWARE RIVER & ESTUARY FISH & GAME CABINS

Resolution No. 18-46, supporting the preservation of historic Delaware River & Estuary Fish & Game Cabins located in Lower Alloway Creek Township, Salem County, New Jersey was adopted on motion by Reilly, seconded by Morgan.
Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

APPROVING REQUEST TO USE PUBLIC WORKS PARKING LOT FOR
RANCH HOPE'S ANNUAL MOUNTAIN BIKE RACE

On motion by Reilly, seconded by Morgan, the Committee approved Dave Bailey, Jr. request to use the Alloway Township Public Works parking lot for overflow parking for family and friends who attend the Annual Mountain Bike Race on Sunday, April 22, 2018.
Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

AUTHORIZATION TO SCHEDULE AND PUBLISH NOTICE OF PUBLIC HEARING
REGARDING 2018 SEWER CONNECTION FEE

On motion by Reilly, seconded by Morgan, the public hearing on the resolution to establish the 2018 Sewer Connection Fee was scheduled for March 15, 2018 at 7:00 p.m. and the Clerk was directed to publish such notice of hearing.
Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

ACCEPTING 3-YEAR AGREEMENT BETWEEN ALLOWAY TOWNSHIP AND OMNI
RECYCLING, LLC FOR THE DISPOSAL OF RECYCLING MATERIALS

On motion by Reilly, seconded by Morgan, a 3-year Agreement effective January 22, 2018 - January 21, 2021 with Omni Recycling, LLC for the disposal of recycling materials for Alloway Township was adopted.
Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

AUTHORIZING FRALINGER ENGINEERING TO CONDUCT A STATISTICAL ANALYSIS
OF CONTAMINANTS FROM THE PAST TEN (10) YEARS OF GROUNDWATER
MONITORING WELLS AT THE SANITARY LANDFILL

Fralinger Engineering is authorized on motion by Reilly, seconded by Morgan to conduct a statistical analysis of contaminants from the past ten (10) years of groundwater monitoring wells at the Alloway Township sanitary landfill. This is required as per the NJ DEP-Division of Solid & Hazardous Waste due to the landfill post-closure care period ending in 2016.
Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

LETTER RECEIVED FROM THE PRESIDENT OF THE ALLOWAY TOWNSHIP
FIRE COMPANY REQUESTING ASSISTANCE FROM THE TOWNSHIP
COMMITTEE TO RESOLVE MATTERS

Mayor Patrick stated the President of the ATFC asked the Township Committee for assistance with a couple of issues. Therefore, per the request, a "No Parking" sign was placed in a particular area where no vehicles should be parked and 2 metal columns to protect the cistern were installed. Committeewoman Reilly confirmed that these matters have been resolved already with the assistance of the Public Works crew.

PUBLIC HEARING AND FINAL ADOPTION
ORDINANCE NO. 498 (Exceed Budget and Establish Cap Bank)

Ordinance No. 498 was called up for second reading, an ordinance entitled:

CALENDAR YEAR 2018

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND
TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Publication of summary of Ordinance No. 498, as required had been made. On motion by Reilly, seconded by Morgan, the public hearing on Ordinance No. 498 was opened and the Clerk directed to read the ordinance by title on second reading. The Clerk read the ordinance by title. Mayor Patrick announced that all interested parties would now be given opportunity to be heard on this ordinance.

There being no questions or comments from the public, on motion by Reilly, seconded by Morgan, the public hearing was closed.

Reilly moved to adopt Ordinance No. 498 on second and final reading. Morgan seconded the motion.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

INTRODUCTION: ORDINANCE NO. 499
(ABANDONED REAL RESIDENTIAL PROPERTY REGISTRATION)

On motion by Reilly, seconded by Morgan, Ordinance No. 499 (copy attached) was introduced and given its first reading. On motion by Reilly, seconded by Morgan, the public hearing on the ordinance will be held March 15, 2018 at 7:00 p.m. and the Clerk was directed to publish the ordinance summary with notice of hearing.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

COMMITTEE REPORTS

Deputy Mayor Reilly, Liaison for the Board of Recreation Commissioners attended their reorganization meeting. Suzanne Dorrell accepted the position as President. The Committee discussed tables and benches for the Pavilion and will be picking them out soon. She said they will be bolted to a concrete slab. It is really going to look beautiful.

Committeeman Morgan, Liaison for the Steering Committee attended their reorganization meeting. He said Ben Thompson, Jim Whitt and Clem Jamison will hold the same position on the Committee. They discussed Community Day, setting up for Christmas next year and bricks for the veterans.

ANNOUNCEMENTS

Mayor Patrick made the following announcements:

Monday, February 19, 2018: Municipal Building Closed

Before adjourning the meeting, Mayor Patrick asked the people who came later to the meeting if they had any questions or comments for the Committee. Their reply was no.

ADJOURNMENT

There being no further business to come before the Committee, on motion by Reilly, seconded by Morgan, meeting was adjourned at 7:09 p.m.

Vote: All in favor

Mayor Patrick thanked the public very much for attending the meeting.

Respectfully submitted,



Charlet Cheeseman, RMC, Municipal Clerk

Range of Checking Accts: First to Last Range of Check Dates: 01/26/18 to 02/22/18
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT					
20249	02/01/18		0.00	02/01/18 VOID	0
20250	02/01/18	S0086 SCIA/SWD	5,384.51		1034
20251	02/01/18	S0117 SCIA/SWD-CLEAN COMMUNITIES	25.98		1034
20252	02/15/18	A0151 ALPHABET SIGNS, INC.	53.95		1035
20253	02/15/18	A0176 ALLOWAY TOWNSHIP BOE	344,696.00		1035
20254	02/15/18	A0186 ALLOWAY POSTMASTER	54.00		1035
20255	02/15/18	A0290 ALLOWAY VILLAGE HARDWARE	379.99		1035
20256	02/15/18	B0038 BARBER CONSULTING SERVICES	59.99		1035
20257	02/15/18	C0064 CARL C. BROWN & SONS	2,197.04		1035
20258	02/15/18	C0111 COPI-RITE INC	112.96		1035
20259	02/15/18	C0151 CENTRAL SEPTIC SERVICES, LLC	1,272.00		1035
20260	02/15/18	C0376 COMCAST CABLE(PUBLIC WORKS)	83.76		1035
20261	02/15/18	C0378 COMCAST CABLE (AMBULANCE)	105.89		1035
20262	02/15/18	C0411 ATLANTIC CITY ELECTRIC	8,767.10		1035
20263	02/15/18	C0531 CROUCH & COMPANY	195.00		1035
20264	02/15/18	C0700 CUMBERLAND VALVE COMPANY INC	143.32		1035
20265	02/15/18	D0200 DCRP	13.05		1035
20266	02/15/18	E0210 ELMER TIMES	65.00		1035
20267	02/15/18	E0250 ENGLISH SEWAGE DISPOSAL	110.00		1035
20268	02/15/18	E0260 ERIC M KRISE	112.50		1035
20269	02/15/18	E326 EUROFINS QC, INC. DEPT #2598	1,744.50		1035
20270	02/15/18	F0200 FRALINGER ENGINEERING PA	1,939.33		1035
20271	02/15/18	H0046 HORIZON BCBS OF NJ	3,334.95		1035
20272	02/15/18	JRPWA005 JRP WASTE OIL RECOVERY SERVICE	190.00		1035
20273	02/15/18	K0051 KEEN COMPRESSED GAS CO	61.00		1035
20274	02/15/18	L0220 LINDSEY GIOIELLI	25.47		1035
20275	02/15/18	M0199 MCANJ C/O DIANE MALLOY	50.00		1035
20276	02/15/18	N0221 NEW JERSEY PLANNING OFFICIALS	325.00		1035
20277	02/15/18	N0262 NIKI A. TRUNK	207.00		1035
20278	02/15/18	NJ021005 NJ ADVANCE MEDIA	307.31		1035
20279	02/15/18	O0040 OMNI RECYCLING LLC	136.28		1035
20280	02/15/18	P0065 PURCHASE POWER	137.98		1035
20281	02/15/18	P0431 PITNEY BOWES GLOBAL FINANCIAL	293.55		1035
20282	02/15/18	R0116 RED OAK DISPOSAL SERVICE	3,459.00		1035
20283	02/15/18	R0165 RIGGINS OIL INC	7,219.82		1035
20284	02/15/18	S0056 SALEM CO ASSN LOCAL GOVT	75.00		1035
20285	02/15/18	S0059 SALEM CO CLERKS & TREAS ASSN	150.00		1035
20286	02/15/18	S0086 SCIA/SWD	5,904.09		1035
20287	02/15/18	S0110 SALEM COUNTY ASSESSOR/COL ASSN	229.00		1035
20288	02/15/18	S0370 I S SMICK LUMBER	363.09		1035
20289	02/15/18	S0515 GENERAL CHEMICAL & SUPPLY	307.20		1035
20290	02/15/18	S0523 STAPLES ADVANTAGE	238.48		1035
20291	02/15/18	T0276 TRI COUNTY TERMITE & PEST	75.00		1035
20292	02/15/18	T0277 TRI-PLEX ALARM	168.00		1035
20293	02/15/18	W0170 WILLIAMS AUTO PARTS	162.86		1035
20294	02/15/18	X0300 XTe1 COMMUNICATIONS, INC	968.27		1035

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT					
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		391,904.22	0.00	
	Direct Deposit:		0.00	0.00	
	Total:		<u>391,904.22</u>	<u>0.00</u>	
Continued					
DOG TRUST FUND					
1533	02/15/18	B0242 BRIDGET CHEESEMAN	75.00		1037
1534	02/15/18	C0670 CUMBERLAND COUNTY SPCA	950.00		1037
1535	02/15/18	D0195 DECKTOR VETERINARIAN HOSPITAL	487.50		1037
1536	02/15/18	M0018 MARGARET MATTHEWS	75.00		1037
1537	02/15/18	N0205 NJ DEPT OF HEALTH&SENIOR SERV	760.20		1037
1538	02/15/18	S999 Stephanie Shane	75.00		1037
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		2,422.70	0.00	
	Direct Deposit:		0.00	0.00	
	Total:		<u>2,422.70</u>	<u>0.00</u>	
ESCROW					
1755	02/15/18	F0200 FRALINGER ENGINEERING PA	984.29		1038
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		984.29	0.00	
	Direct Deposit:		0.00	0.00	
	Total:		<u>984.29</u>	<u>0.00</u>	
SEWER					
SEWER FUND					
2556	02/15/18	A0210 ALLEN ENGLISH	900.00		1036
2557	02/15/18	C0411 ATLANTIC CITY ELECTRIC	2,259.70		1036
2558	02/15/18	E0260 ERIC M KRISE	215.38		1036
2559	02/15/18	S0050 SALEM CITY WATER AND SEWER	12,267.35		1036
2560	02/15/18	S0370 I S SMICK LUMBER	4.96		1036
2561	02/15/18	W0235 WILLIER ELECTRIC MOTOR REPAIR	1,921.14		1036
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		17,568.53	0.00	
	Direct Deposit:		0.00	0.00	
	Total:		<u>17,568.53</u>	<u>0.00</u>	
Report Totals					
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
	Checks:		412,879.74	0.00	
	Direct Deposit:		0.00	0.00	
	Total:		<u>412,879.74</u>	<u>0.00</u>	

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	7-01	5,458.46	0.00	0.00	5,458.46
	7-07	12,267.35	0.00	0.00	12,267.35
DOG TRUST FUND	7-14	<u>950.00</u>	<u>0.00</u>	<u>0.00</u>	<u>950.00</u>
	Year Total:	18,675.81	0.00	0.00	18,675.81
CURRENT FUND	8-01	385,585.91	0.00	0.00	385,585.91
	8-07	5,301.18	0.00	0.00	5,301.18
DOG TRUST FUND	8-14	<u>1,472.70</u>	<u>0.00</u>	<u>0.00</u>	<u>1,472.70</u>
	Year Total:	392,359.79	0.00	0.00	392,359.79
PLANNING BOARD ESCROW	E-13	984.29	0.00	0.00	984.29
STATE AND FEDERAL GRANT BUDGET	G-02	859.85	0.00	0.00	859.85
Total of All Funds:		<u>412,879.74</u>	<u>0.00</u>	<u>0.00</u>	<u>412,879.74</u>

**ALLOWAY TOWNSHIP
ORDINANCE 499**

**AN ORDINANCE OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF
ALLOWAY, COUNTY OF SALEM, STATE OF NEW JERSEY, CREATING A NEW
CHAPTER XX OF THE CODE OF THE TOWNSHIP OF ALLOWAY ENTITLED
“ABANDONED REAL RESIDENTIAL PROPERTY REGISTRATION”**

WHEREAS, the Township of Alloway contains structures that are vacant and/or abandoned; and

WHEREAS, in many cases the owners or other responsible parties of these structures (lenders, lien holders) are neglectful of them, and are failing to maintain them or secure them to adequate standards, or restore them to productive use; and

WHEREAS, many of these structures are in violation of State and local fire, housing and property maintenance codes; and

WHEREAS, it has been established that vacant and/or abandoned structures cause severe harm to the public health, safety and general welfare of the community, including diminution of neighboring property values, loss of property tax revenues, accumulation of trash and debris, overgrowth of grass, weeds, and other vegetation that is inhabited by insects and rodents, increased risk of fire, and potential increases in criminal activity and public health risk; and

WHEREAS, the resident taxpayers of the Township of Alloway incur unnecessary and disproportionate costs in order to deal with the problems caused by vacant structures, including but not limited to police calls, fire calls, public works calls, property inspections and related tasks associated with these calls; and

WHEREAS, the Township is challenged to identify and locate owners or foreclosing parties who can maintain the properties that are in the foreclosure process or that have been foreclosed; and

WHEREAS, the Township has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

WHEREAS, the Township has an additional vested interest in protecting neighborhoods against decay caused by vacant and abandoned properties and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration and certification requirements on abandoned and vacant properties located within the Township; and

**ALLOWAY TOWNSHIP
ORDINANCE NO. 499**

WHEREAS, the Save New Jersey Homes Act of 2008, N.J.S.A. 46:10B-51, et seq., requires every creditor that has initiated a foreclosure proceeding to provide the Municipal Clerk of the municipality with a listing of all residential properties in the municipality for which the creditor has foreclosure actions pending, and the Municipal Clerk shall forward a copy of said Notice to the public officer who shall be responsible for administration of any property maintenance or public nuisance code; and

WHEREAS, it is in the public interest for the Township of Alloway to establish standards of accountability on the owners or other responsible parties (to include lenders and lien holders) of vacant primary residential structures in order to protect the health, safety and general welfare of the residents of the Township of Alloway; and

WHEREAS, the Township finds that the presence of vacant and abandoned properties can lead to a decline in property values, create attractive nuisances, and lead to a general decrease in neighborhood and community aesthetics; and

WHEREAS, upon passage, all duly noticed public hearings, as required by law will have been held by the Township, at which all residents and interested persons were given an opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Alloway, in the County of Salem and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof

SECTION 2. That the Mayor and Committee of the Township of Alloway do hereby amend the Township Code, by creating a new Article II in Chapter 161 entitled "Abandoned Real Property Registration," to read as follows:

**ALLOWAY TOWNSHIP
ORDINANCE NO. 499**

**CHAPTER XX
ABANDONED REAL PROPERTY REGISTRATION**

§ XX-1. Purpose and Intent:

- A. It is the purpose and intent of the Township to establish a process to address the increasing amount of vacant, abandoned, foreclosed, and/or otherwise distressed residential real property located within the Township, and to identify, regulate, limit, and reduce the number of abandoned primary residential structures on properties located within the Township.
- B. The Township finds, determines, and declares that primary residential buildings which remain vacant and unoccupied for any appreciable period of time become, at a minimum, a harborage for rodents, an invitation for illegal occupancy, illegal activities, and a fire hazard. Unkempt grounds surrounding the property invite dumping and rubbish thereon, and such buildings become dilapidated, contributing to residential blight, depressing market values of surrounding property, and requiring additional government services. Unsupervised vacant, abandoned, and foreclosed residential properties have a negative impact on surrounding properties and neighborhoods. Owners of such structures and properties should be held accountable for the physical condition of the property.
- C. This article establishes responsibilities of owners of the vacant, abandoned, and foreclosed residential properties and structures and provides for administration and enforcement of standards related to such party and structures. This article incorporates the Internal Property Maintenance Code [New Jersey State Uniform Construction Code] and all applicable federal, state, and local building and fire codes. This article shall apply to all vacant, abandoned, and foreclosed primary residential real property and structures within the Township of Alloway.
- D. It is in the public interest for the Township to impose a fee in conjunction with registration of vacant, abandoned, and foreclosed primary residential real property structures in light of the disproportionate costs imposed on the Township by the presence of these properties.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 499**

§ XX-2 Definitions:

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

ABANDONED REAL PROPERTY: Vacant property is defined in this article as any residential real property that is the primary residential structure on the property that has been vacant for 30 or more days, and meets at least two of the following criteria:

- A. Provides a location for loitering, vagrancy, unauthorized entry or other criminal activity;
- B. Has one or more broken windows, or two or more windows boarded up, for more than 30 days;
- C. Has utilities disconnected or not in use;
- D. Is not maintained in accordance with Township codes and ordinances, including, without limitation, New Jersey Residential and Building Codes, International Property Maintenance Code, and Fire Prevention Code;
- E. Has taxes in arrears for a period of time exceeding 365 days;
- F. Is only partially completed, is not fit for human occupancy and has no active building permits on the property that will result in restoration of the premises to a safe and habitable condition; and/or
- G. Is in default on a mortgage, has had a lis pendens filed against it by the lender holding a mortgage on the property, is subject to an ongoing foreclosure action by the lender, is subject to an application for a tax deed or pending tax assessors lien sale, or has been transferred to the Lender under a deed in lieu of foreclosure.

The designation of a property as "abandoned" shall remain in place until such time as the property is sold or transferred to a new owner, the foreclosure action has been dismissed, and any default on the mortgage has been cured.

APPLICABLE CODES: Include, but not be limited to, the Township's Zoning Code, the Township's Code of Ordinances (Township Code), and the New Jersey Building Code.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 499**

BORROWER: A borrower under a mortgage, who grants a lien or interest in residential property as security for the payment of a debt.

ENFORCEMENT OFFICER - means any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, or other person authorized by the Township to enforce the applicable code(s).

FORECLOSURE: The process by which a mortgage is enforced against a parcel of real property

LENDER: A person, firm, or corporation holding a mortgage on a property.

MORTGAGE: A recorded lien or interest in real property to secure payment of a loan.

OWNER: An individual, partnership, association, corporation, company, titleholder, fiduciary, or their legal entity having a legal equitable title or any interest in any real property. Shall include the title holder, any agent of the title holder having authority to act with respect to a vacant and/or abandoned property, any foreclosing entity that has filed a notice with the Municipal Clerk pursuant to the provisions of N.J.S.A. 46:10B-51, or any other entity determined by the Township of Alloway to have authority to act with respect to the property.

SAFETY AND MAINTENANCE INSPECTION: A visual inspection to check compliance with requirements as set forth in the International Property Maintenance Code, for sanitary maintenance, life safety, and other hazards and code violations. Such inspections will be done in accordance with a checklist maintained by the Township Construction Office.

STRUCTURE: Anything constructed or erected the use of which requires location on or attachment to the ground and includes buildings.

OWNER - means any person, legal entity or other party having any ownership interest whether legal or equitable, in real property. This term shall also apply to any person, legal entity or agent responsible for the construction, maintenance or operation of the property involved.

PROPERTY MANAGEMENT COMPANY - means an owner, agent, local property manager, property Maintenance Company or similar entity responsible for the maintenance of abandoned real property.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 499**

VACANT PROPERTY: An unimproved lot or parcel of real property that is not currently used or occupied and an improved lot or parcel to real property with at least one building or structure that is not currently used or occupied. The registration requirements are not intended to apply to parcels of property in their nature state and not subject to development approvals, however, any other property maintenance standards shall otherwise apply.

§ XX-3 Applicability:

- (a) An owner of an abandoned residential vacant property in the Township shall be responsible for registering the primary residential structure with the Code Enforcement Official by complying with the affidavit, registration, and inspection fee requirements in the article. In the event the owner shall fail or refuse to register the property the lender or possessory lender shall be responsible for compliance with this provision. Any additional structures not used as the primary residence are not subject to the registration requirements of this Article.
- (b) Any mortgagee who holds a mortgage or equity lien on such real residential property located within the Township shall perform an inspection of the property to determine vacancy or occupancy, upon default by the mortgagor. The mortgagee shall, within 10 days of the inspection, register the property with the Code Enforcement Official, or its designee, on forms or website access provided by the Township, and indicate whether the property is vacant or occupied.
- (c) Abandoned, vacant, or foreclosed property shall be registered within 30 calendar days of the vacancy or 30 calendar days after assuming ownership of the vacant property, whichever is later. Failure to receive notice by the Township shall not constitute grounds for failing to register the property.
- (d) If the property is occupied but remains in default, it shall be inspected by the mortgagee or his designee monthly until (1) the mortgagor or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the TOWNSHIP of ALLOWAY.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 499**

§ XX-4 Registration Requirements:

- A. Registration pursuant to this section shall contain the name of the owner, the mortgagee and the server, the direct mailing address of the mortgagee and the server, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the folio or tax number, and the name and twenty-four-hour contact telephone number of the property management company responsible for the security and maintenance of the property as well as for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such owner or owners in connection with the enforcement of any applicable code; The individual or a representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24 hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
- B. The property shall be posted with the name and twenty-four-hour contact telephone number of a property management company located within 30 miles of the subject property. The posting shall be no less than 18 inches by 24 inches and shall be of a seventy-two-point Arial font and shall contain, along with the name and twenty-four-hour contact number, the words: "THIS PROPERTY MANAGED BY AND TO REPORT PROBLEMS OR CONCERNS CALL." The posting shall be placed on the interior of a window facing the street to the front of the property so it is visible from the street or secured to the exterior of the building structure facing the street to the front of the property so that it is visible from the street or, if no such area exists, on a stake of sufficient size to support the posting in a location that is visible from the street to the front of the property, but not readily accessible to vandals. The local property management company shall inspect the property on a regular basis to determine if the property is in compliance with the requirements of this section.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 499**

C. The non-refundable registration fee for each primary residential building shall be as follows:

- Initial registration fee: \$500.00
- If not paid within sixty (60) days of notification by the Township, the registration fee shall increase to \$1,000.00.

The non-refundable renewal fee for each such building shall be due on the anniversary date of the initial registration date of each subsequent year as follows:

- First renewal fee: \$1,000.00
- Second and subsequent renewal fee: \$2,000.00

D. This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.

E. Properties subject to this section shall remain under the annual registration requirement and the inspection, security and maintenance requirements of this section as long as they remain vacant or in default.

F. Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within 10 days of the change.

G. Failure to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this section is a violation of this article and shall be subject to enforcement and penalties.

H. Pursuant to any administrative or judicial finding and determination that any property is in violation of this article, the municipality may take the necessary

**ALLOWAY TOWNSHIP
ORDINANCE NO. 499**

action to ensure compliance and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

- I. All registration fees must be paid directly from the Mortgagee, Servicer, Trustee, or Owner. Third Party Registration fees are not allowed without the consent of the Township and/or its authorized designee.

- J. This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.

- K. Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain vacant or in default.

- L. All fees applicable to this article may be revised by resolution of the Township Committee. Registration and inspection fees shall be paid at the time of submitting the registration affidavit. There shall also be a fee for the filing of any additional or new owner's affidavit, with such fee being set by resolution of the Township Committee. For properties that are not registered within the required time frame, an additional fee for the added cost of the Township's expenses in having to determine ownership, which may include, but is not limited to title searches, shall be assessed and is immediately payable. The payment of all fees under this article is secured by a lien against the property, which may be placed on the tax roll for collection in the same manner and subject to the same interest and penalties applicable to delinquent special assessments.

§ XX-5. Access to Vacant Properties:

- A. The owner of any vacant property registered under this Article shall provide access to the Township to conduct exterior and interior inspections of the

**ALLOWAY TOWNSHIP
ORDINANCE NO. 499**

building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours of 9:00 a.m. and 4:00 p.m., or such other time as may be mutually agreed upon between the owner and the Township.

- B. If the owner, lender or possessory lender has failed to secure the property and it has been secured by the Township, the Township or its contracted agent may reenter the structure to conduct necessary inspections to assure compliance with the requirements of this Code and to determine if there are emergency or hazardous health and safety conditions in existence.

§ XX-6: Violations and Penalties:

- A. Any person who violates any provision of this Article shall be fined not less than \$100 and not more than \$1000 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this article shall be recoverable from the owner as defined herein and shall be a lien on the property.
- B. For purpose of this section, failure to file a registration affidavit within 30 calendar 30 days after a building becomes vacant property or within 30 days after assuming ownership of a vacant property, whichever is later, or within 10 calendar days of receipt of notice by the Township, and failure to provide correct information on the registration affidavit, or failure to comply with the provisions of this article or such provisions contained herein shall be deemed to be violations of this article.

§ XX-7. Severability: Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

§ XX-8. Repealer:

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 499**


§ XX-9. When Effective:

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

TOWNSHIP OF ALLOWAY


BY: 
Myrle Patrick, Mayor

ATTEST:


Charlet Cheeseman
Municipal Clerk

NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Alloway, in the County of Salem and State of New Jersey, held on Thursday, February 15, 2018 at 7:00 P.M. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Municipal Building, 49 E. Greenwich St., Alloway, New Jersey 08001, on March 15, 2018 at 7:00 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at the Municipal Building, , 49 E. Greenwich St., Alloway, New Jersey 08001, to the members of the general public who shall request the same.


Charlet Cheeseman
Municipal Clerk