

**Explanation:** This Ordinance amends Section 3-19 entitled “Property Maintenance ‘VN’ Village Neighborhood Zone” to include the Senior Citizen Housing (SCH) Zone.

**BEDMINSTER TOWNSHIP  
ORDINANCE No. 2024-004**

**BE IT ORDAINED** by the Township Committee of the Township of Bedminster, in the County of Somerset, State of New Jersey that amended **Section 3-19 PROPERTY MAINTENANCE “VN” VILLAGE NEIGHBORHOOD ZONE AND “SCH” SENIOR CITIZEN HOUSING ZONE** is added to the Revised General Ordinances of the Township of Bedminster as follows:

[New language in **bold and underline**, deleted language ~~double strikethrough~~]:

**3-19.1 Definitions.**

As used in Section 3-19, the following terms shall have the meanings indicated:

- a. *Blight* shall mean an area, property or buildings characterized by deteriorating or abandoned buildings or land which exhibit a lack of continued maintenance and upkeep, including land or a building with debris, litter, deteriorating paint or siding, accumulation of trash or junk, all, or any of which may tend to depress the aesthetic value of a neighborhood.
- b. *Exterior Premises* shall mean those portions of land or buildings which are exposed to public view or are visible from adjoining or adjacent lots, including all outside surfaces and appurtenances thereto and the open yard space of any property outside and around any building or structure erected on the property.
- c. *Nuisance* shall mean:
  1. Any condition that would constitute a nuisance according to the statutes, laws and regulations of the State of New Jersey, its governmental agencies or the ordinances of the Township of Bedminster.
  2. Any condition which is detrimental to the enjoyment of lands owned by others, constitutes a blighted condition or is detrimental to the health or safety of all persons whether on or inside a building, on the lands and premises containing a building or on, in or upon an unoccupied lot.

**3-19.2 Maintenance of Exterior Premises in the “VN” Village Neighborhood Zone and Senior Citizen Housing “SCH” Zone.**

The exterior premises shall be maintained so that its appearance shall reflect a level of maintenance in general keeping with the standards of the “VN” Village Neighborhood Zone **and “SCH” Senior Citizen Housing Zone** ~~and neighborhood~~ and such that the

appearance thereof shall not promote or contribute to a blighting effect upon neighboring properties. Moreover, the exterior of the premises shall not contribute to the progressive deterioration and downgrading of neighboring properties. To this end, the following requirement shall apply:

- a. No temporary painting scaffold or other temporary equipment used for construction, repair or maintenance shall be permitted to remain in place beyond eight weeks after the erection and placement of such equipment, without obtaining permission in writing from the Township Zoning Officer.
- b. Where exposed to public view, the landscaping of premises shall be maintained in keeping with the neighborhood and in an orderly state with lawns mowed and bushes and shrubs trimmed and free from becoming overgrown, littered and unsightly where such lawn bushes, shrubs and landscaping conditions would constitute or contribute to a blighting effect.
- c. Exterior areas shall not be used for the storage of accumulated refuse and rubbish for more than a two-week period, and such shall be stored in appropriate sanitary receptacles or other containers.
- d. It shall be unlawful for any owner, possessor, or occupant of lands to store, keep or accumulate, upon such lands, any motorized vehicles, automobiles or machines in need of repair so as not to be readily operated under their own power or requiring substantial repairs or not currently licensed.
- e. The paint or siding on a building shall be maintained in a condition that is not in a deteriorating state.
- f. Failure to remove or comply with a. to e. above shall constitute a nuisance which may be abated by the Township pursuant to its statutory authorization under N.J.S.A. 40:48-2.12.

### **3-19.3 Notice of Violation.**

- a. Such removal or compliance, as outlined in Section 3-19.2 shall be accomplished by the property owner within 10 days after notice to remove or comply or within such extended time period as may be granted by the Township Zoning Officer. Such extended time period shall be granted based on the substantive and exigent circumstances present in each case. However, in no case, shall the extended time period exceed 30 calendar days beyond the date of the initial notice. In addition, no such extension shall be granted except upon the written request of the affected property owner stating, with specificity, the reasons why such an extension is sought, the remedial steps proposed by the property owner to eliminate the conditions identified in the notice and a date certain by which such remediation shall take place.

- b. In the event such removal or compliance as outlined above is not accomplished by the property owner to the satisfaction of the Township Zoning Officer within the ten-day period or any extended time period granted, the, Township Zoning Officer, in his or her discretion shall issue a summons to such property owner returnable before the Bedminster Township Municipal Court for a violation of Section 3-19. The matter shall be prosecuted by the Township Municipal Prosecutor and the Township Zoning Officer.

#### **3-19.4 Violations and penalties.**

Any person who violates any provision of Section 3-19 shall, upon conviction thereof in the Municipal Court, be punished by a fine not exceeding \$1,000 or by imprisonment for a term not exceeding 30 days for a first offense and not more than 90 days for a second offense, or both. A separate offense may be deemed committed for each day during or on which a violation occurs or continues.

#### **3-19.5 Failure to remove.**

If such removal or compliance does not occur because the owner has refused or neglected or otherwise determined not to remove or comply, despite the notice of violation warning set forth in Section 3-19.3 and the summons and Municipal Court procedure set forth in Section 3-19.4, the Township, itself, as an additional remedy, may see to removal or compliance by utilizing the procedures set forth in Sections 3-19.6 and 3-19.7 below.

#### **3-19.6 Municipal civil remedy; service of notice; public hearing.**

- a. The Township may proceed to remediate the condition itself after due process as hereafter defined. The Township may authorize the Township Zoning Officer to effect removal or compliance subject to the due process procedure delineated herein.
- b. The property owner shall be entitled to a hearing before the Township Committee. Service duly noticed of this hearing shall be made upon such owner by the Township. This service of notice provided to the owner shall state the remediation action which may be taken by the Township Committee at that meeting.
- c. In the event of an inability to serve the owner, after reasonable effort, pursuant to N.J.S.A. 40:48-2.12, sufficient notice shall be deemed to have been given if such notice is posted on the premises in a conspicuous place.
- d. Within 30 days of receipt of this service of notice or any extension of time granted thereto by the Township Committee, a public hearing shall be held by the Township Committee, at which time, after the presentation of evidence by the Township Zoning Officer and the property owner, it may, if the evidence warrants it, adopt a resolution authorizing the remediation of the condition in accordance with Section 3-19.7 below.

**3-19.7 Removal by Township: certification of costs: costs as lien.**

- a. Pursuant to resolution, the Township Zoning Officer shall oversee and direct the removal and compliance with Section 3-19. The Township Zoning Officer shall then certify the cost thereof to the Township Committee, which shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against said building or lands.
- b. The amount so charged shall forthwith become a lien upon such building and lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such dwelling or lands, the same to bear interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

**3-19.8 Investigating/enforcement officer.**

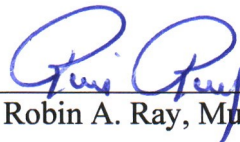
The exclusive investigating and enforcement Township officer for Section 3-19 shall be the Township Zoning Officer. The Township Zoning Officer may consult with the Township Construction Official, Township Engineer, Township Health Officer and Township Fire Official as he or she may determine in his or her collective judgment. No member of the public is entitled to pursue a private cause of action hereunder for enforcement of Section 3-19.

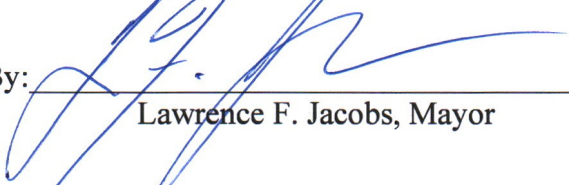
**BE IT FURTHER ORDAINED**, this Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Introduced by: Cm Stevison  
 Passed: May 6, 2024  
 Published: May 9, 2024  
 Adopted: May 20, 2024

**ATTEST:**

**BEDMINSTER TOWNSHIP COMMITTEE:**

By:   
 Robin A. Ray, Municipal Clerk

By:   
 Lawrence F. Jacobs, Mayor

Introduced	Seconded	Township Committee	Aye	Nay	Abstain	Absent
		Lawrence F. Jacobs, Mayor	✓			
	✓	Douglas A. Stevinson	✓			
		R. Colin Hickey	✓			
		Renee M. Mareski				✓
✓		Gina Lisa-Fernandez	✓			