

Date of Registration _____

Registration Expires Dec, 31, 20_____

CITY OF BORDENTOWN
101 E. Park Street, PO Box 395, BORDENTOWN, NJ 08505
(609)298-0073

VACANT PROPERTY REGISTRATION STATEMENT FORM
AS REQUIRED BY CITY ORDINANCE 2023-04

1. Vacant Property Address _____ Block _____ Lot _____
2. Owner(S) Information Name _____
 Address _____ City _____ State _____ Zip _____
 Day Phone # _____ Night Phone # _____
 Is Owner a Corporation _____ (Yes*/No)
 Is Owner a Partnership _____ (Yes*/No)
 *If yes, attach copies of Corporation/LLC Resolution to this Registration Statement)
3. Authorized Agent: Agent Name _____
 Address _____ City _____ State _____ Zip _____
 Day Phone # _____ Night Phone# _____
4. Superintendent/Janitor/Custodian or Other: The person responsible for maintaining and security of the property, if different.
 Name _____
 Address _____ City _____ State _____ Zip _____
 Day Phone # _____ Night Phone # _____
5. Owner(s) Emergency Contact: Name of an individual(s) who may be contacted in the event of an emergency when the owner(s) or authorized agent is unavailable.
 Name _____
 Address _____ City _____ State _____ Zip _____
 Day Phone # _____ Night Phone # _____
6. Vacant Property Utility Information: Have the following services been disconnected and/or winterized, as appropriate? Write "D" if disconnected; write "w" is winterized:
 _____ Heat _____ Electric _____ Gas _____ Water _____ Sewer _____ Cable _____ Phone _____ Other _____
7. Requirements: Place your initials next to the following items to indicate that you are in compliance with these vacant property requirements:
 _____ Vacant Property has been secured against unauthorized entry as provided in the applicable provision of the City Code
 _____ A sign has been affixed to the inside of the vacant property indicating the name, address and telephone number of the owner(s) and/or the owner(s) authorized agent and the individual responsible for day-today-supervision of the vacant property if such person is so designated.
 _____ An approved "No Trespassing" sign has been placed in a conspicuous location on the premises.
 _____ The required vacant property liability insurance in the amounts specified in the Ordinance is in full effect and a copy of said policy is attached to the registration statement.
 _____ A Check or money order in the required amount for this registration statement is attached to this registration statement.
8. Owner/Agent Certification: Any owner(s) who is not in full compliance with this Article or who otherwise violates any provision of this Article, or of the rules and regulations issued, shall be subject to a fine of up to \$2,500.00 for each day of the violation. I hereby certify that all the above information is true to the best of my knowledge, and belief. I am aware that if the foregoing information is willfully false, that I am subject to violations and penalties.

Date: _____ Owner/Agent Signature _____

Ordinance 2023-04 repealing and amending Article II of Chapter 216 "Property Maintenance"

“Article II. Vacant and Abandoned Properties: Notice, Registration, and Fees**§ 216-5 Purpose and Intent.**

It is the intent of Article II of Chapter 216 to enable the City of Bordentown to engage in the identification, registration, monitoring, and mitigation of properties that are or may become vacant and abandoned to the fullest extent permitted by P.L. 2021, c.444, in order to combat the immeasurable and deleterious effects of blight arising from residential and commercial properties that become vacant or abandoned during the foreclosure process.

§ 216-6 Definitions.

- A. All words, terms, and phrases used within Article II of Chapter 216 shall be defined and interpreted consistent with their meanings as outlined within P.L. 2021, c.444, as may be amended from time to time.
- B. A “creditor” shall mean: a State chartered bank, savings bank, savings and loan association or credit union, any person required to be licensed under the provisions of the “New Jersey Residential Mortgage Lending Act,” sections 1 through 21 39 of P.L.2009, c.53 (C.17:11C-51 through C.17:11C-89), and any entity, agent, or assignee acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. A creditor shall not include the State, a political subdivision of the State, or a State, county, or local government entity, or their agent or assignee, such as the servicer.
- C. A property shall be deemed “vacant and abandoned” for purposes of this Article if:
 - (1) The property is not legally occupied by a mortgagor or tenant, and
 - (2) The property cannot be legally reoccupied, because of at least two (2) of the following conditions:
 - (a) overgrown or neglected vegetation;
 - (b) the accumulation of newspapers, circulars, flyers, or mail on the property;
 - (c) disconnected gas, electric, or water utility services to the property;
 - (d) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
 - (e) the accumulation of junk, litter, trash, or debris on the property;
 - (f) the absence of window treatments such as blinds, curtains, or shutters;
 - (g) the absence of furnishings and personal items;
 - (h) statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
 - (i) windows or entrances to the property that are boarded up or closed off, or multiple windowpanes that are damaged, broken, and unrepaired;
 - (j) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
 - (k) a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
 - (l) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
 - (m) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
 - (n) a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
 - (o) any other reasonable indicia of abandonment.

§ 216-7 Establishment and Administration of Registry.

- A. The City of Bordentown shall create and maintain a registry of all commercial and/or residential properties within its municipal boundary for which a summons and complaint in an action to foreclose has been filed with the New Jersey Superior Court, pursuant to its authority granted by P.L. 2021, c.444. This registry will be formed and maintained to assist the City with regulating the maintenance, security, and upkeep of properties which may become vacant and abandoned during the foreclosure process, in order to prevent the negative effects of blight associated with vacant and abandoned properties that are not maintained.

B. The City of Bordentown may, at its discretion, create, maintain, and administer this registry independently, or participate in a Shared Services Agreement with other local units, Counties, and/or County Improvement Authorities for the creation, maintenance, and administration of the registry pursuant to the Uniform shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. If the City of Bordentown participates in a Shared Services Agreement with another local unit, County, and/or County Improvement Authority, the program shall be administered consistent with P.L. 2021, c.444.

(a) The City's Housing and Code Enforcement Department or his/her designee shall serve as the municipal official responsible for notifying creditors, establishing, and maintaining the registry, determining eligibility for designation as a vacant and abandoned property under this Article, and for imposing fees, penalties, and/or violations.

§ 216-8 Registration, Notice, and Other Creditor Requirements.

A. Within 30 days of the effective date of this Ordinance, any creditor who has initiated a summons and complaint with the New Jersey Superior Court in an action to foreclose on a commercial and/or residential mortgage for a property located within the City of Bordentown: (i) prior to the effective date of this Ordinance, and (ii) which is pending as of the effective date of this Ordinance, shall provide notice in accordance with sub-section (B) of Section 216-8.

B. Within 10 days of filing a summons and complaint with the New Jersey Superior Court in an action to foreclose on a commercial and/or residential mortgage for a property located within the City of Bordentown, the creditor shall notify the Housing and Code Enforcement Department, or his/her designee, of the action. Such notice shall include:

- (1) The address, block, and lot of the subject property;
- (2) The date the summons and complaint in an action to foreclose on a mortgage was filed against the subject property, the court in which it was filed, and the docket number of the filing;
- (3) Whether the property is vacant and abandoned in accordance with the definition in Section 216-6 (Definitions);
- (4) The full name, address, and telephone number for the representative of the creditor who is responsible for receiving notice of complaints of property maintenance and code violations;
- (5) The full name, address, and telephone number of any person or entity retained by the creditor or a representative of the creditor to be responsible for any care, maintenance, security, or upkeep of the property; and
- (6) If the creditor is out-of-State, the full name, address, and telephone number of an in-State representative or agent who shall be responsible for any care, maintenance, security, or upkeep of the property, and for receiving notice complaints of property maintenance and code violations.
- (7) The notice requirements herein represent a continuing obligation throughout the pendency of the foreclosure action. After initial notice to the City, creditors subject to the notice requirement shall update the City's property registration program within 10 days of any change in the information contained in the original or any subsequent notices.

C. Creditors of any commercial and/or residential mortgage required to notify the City pursuant to this section shall:

- (1) Register the property with the City's property registration program as a property in foreclosure, within 30 days of notifying the City;
- (2) Be subject to the registration fee, notice requirements, and penalties for non-compliance established within this Article;
- (3) Update the property registration within 10 days of any change in the information contained in the original notice to the City;
- (4) If an out-of-State creditor, appoint an in-state representative or agent to act for the foreclosing creditor, whose contact information shall be contained within the initial notice to the City;
- (5) Within 10 days of the property becoming vacant and abandoned at any time during the pendency of the foreclosure action, the creditor shall:
 - (a) Assume responsibility for the care, maintenance, upkeep, and security of the exterior of the property;
 - (b) Secure the property against unauthorized entry;

- (c) Post a sign on the inside of the property, visible to the public, containing the name, address, and telephone number of the creditor, or an out-of-State creditor's in-State representative or agent, for the purpose of receiving service of process;
- (d) Acquire & maintain a vacancy insurance policy which covers any damage to any person, or any property caused by any physical condition of the property while registered with the City's property registration program;
- (e) Provide proof within 10 days of receiving a request by the City or its designee that the above conditions have been satisfied.
- (f) Cure any violations of the above requirements within 30 days of receiving a notice of violation, or if deemed to present an imminent threat to public health and safety, within 10 days of receiving such notice.

(6) Update the property registration within 10 days of the creditor becoming aware that the property is deemed vacant and abandoned as defined herein.

D. If at any time the creditor is deemed to be in violation of the above requirements, and/or if the property is deemed to be in violation of any other applicable local or state maintenance, health, or safety codes, the Housing and Code Enforcement Department or his/her designee shall notify the creditor using the contact information provided in the property registry established by Article II of Chapter 216.

§ 216-9 Fees, Violations, and Penalties.

- A. All fees, penalties, and/or fines established within this Article and assessable pursuant to the City's authority outlined within P.L. 2021, c.444 shall be deemed a municipal charge in accordance with N.J.S.A. 54:5-1, et seq.
- B. Creditors required to notify the City and register a property as one in foreclosure shall be required to pay the following annual registration fee, per property, due at the time of registration: \$250.00.
- C. If a property registered with the City's registration program as a property in foreclosure is vacant and abandoned at the time of registration or becomes vacant and abandoned at any time during the pendency of the foreclosure proceeding, the creditor shall pay an additional annual registration fee, per property, due at the time the determination that the property is vacant and abandoned is made, of \$2,000.00.

D. Violations

- (1) An out-of-State creditor subject to the notice and registration requirements of Section 8 of this Chapter, found to be in violation of the requirement to appoint an in-State representative or agent, shall be subject to a fine of \$2,500 for each day of the violation. The violation shall be deemed to commence on the day after the creditor's initial 10 or 30-day requirement to notify the City of applicable foreclosure actions.
- (2) A creditor subject to the notice and registration requirements of Section 8 of this Chapter, found to be in violation of any part of this ordinance (with the exception of a violation pursuant to sub-section (D)(1) of Section 9), shall be subject to a fine of \$1,500 for each day of the violation. The violation shall be deemed to commence on the 31st day following the creditor's receipt of a notice of violation, or if deemed to present an imminent threat to public health and safety, on the 11th day following the creditor's receipt of such notice.

E. If the City expends public funds in order to abate a nuisance or correct a violation on a commercial property in situations in which the creditor was given notice pursuant to this Article, but failed to abate the nuisance or correct the violation as directed, the City shall have the same recourse against the creditor as it would have against the title owner of the property, including but not limited to the recourse provided under N.J.S.A. 55:19-100, et seq."

.....
FOR CITY OF BORDENTOWN OFFICIAL USE ONLY

Property secured against break in _____ Utility Report _____ Fee Paid Y/N _____ Amount Paid \$ _____

Information, Addresses/Contacts Confirmed: _____ Open Violations or Penalties? _____ Corrected? _____

Date of Property Inspection _____ Inspection Completed by _____

Notes _____