

**AN ORDINANCE AMENDING CHAPTER 105 OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER ENTITLED “OUTDOOR STORAGE” TO CHANGE THE TIME TO HOLD HEARINGS PURSUANT TO 105-9 FROM FOURTEEN DAYS TO THIRTY DAYS**

**WHEREAS**, the Township of Bridgewater has adopted a property maintenance code to ensure that the exterior premises of Township properties are maintained so that the appearance thereof shall reflect a level of maintenance in general keeping with the standards of the neighborhood and such that the appearance thereof shall not promote or contribute to a blighting effect upon neighboring properties; and

**WHEREAS**, Section 105-9 of the Municipal Code of the Township of Bridgewater, entitled “Municipal civil remedy; Service of Notice; Public Hearing,” permits the municipality, after providing notice and an opportunity to be heard to the property owner, to remediate the blighted condition; and

**WHEREAS**, the Township Attorney has recommended extending the time for the holding of the hearing in this matter from fourteen (14) days to thirty (30) days to allow greater flexibility to both the property owner and the Township in resolving matters brought pursuant to Chapter 105; and

**WHEREAS**, the Township Council concurs with this recommendation; and

**BE IT ORDAINED**, by the Township Council of the Township of Bridgewater in the County of Somerset and State of New Jersey that Chapter 105 of the Municipal Code of the Township of Bridgewater, County of Somerset, State of New Jersey, entitled “Outdoor Storage” is hereby amended as follows:

**Section I**

Chapter 105-9 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

- A. The Township may proceed to remediate the condition itself after due process, as hereafter defined. It may authorize the investigating Township official to effect removal or compliance subject to the due process procedure delineated herein.
  
- B. The property owner or tenant shall be entitled to a hearing before the Township Council. Service, duly noticed, of this hearing shall be made upon such owner, lessor or its agent by the Township. This service of notice, provided to the owner, lessor, and adjacent property owners/tenants or their authorized agent, shall state the remediation action which may be taken by the Township Council at that meeting.
  
- C. In the event of an inability to serve the owner, lessor or agent, 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 ~~14~~ **30** days of receipt of this service of notice or any extension of time granted thereto by the Township Council, a public hearing shall be held by the Township Council, at which time, after the presentation of evidence by the appropriate Township official and the property owner/tenant, it may, if the evidence warrants it, adopt a resolution authorizing the remediation of the condition in accordance with § 105-10 hereinbelow.

## **Section II**

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

## **Section III**

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to this section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

## **Section IV**

This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law but, in no event, less than 20 days after its final passage by the Township Council and approval by the Mayor, where such approval is required pursuant to N.J.S.A. 40:69A-181(b).

Adopted: February 4, 2019

Effective: February 25, 2019