

**CITY OF CORBIN CITY
COUNTY OF ATLANTIC
STATE OF NEW JERSEY**

ORDINANCE No. 14-2023

**AN ORDINANCE REPEALING AND REPLACING AMENDING ORDINANCE 10-2022
ENTITLED ABANDONED REAL PROPERTY**

WHEREAS, the City Council of Corbin City desires to repeal and replace Ordinance 10-2022, to define the rules and regulations of the city's Abandoned and Vacant Property Ordinance and to permit the city to administer the registration of vacant and abandoned property.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Corbin City, situate in the County of Atlantic, State of New Jersey, repeals Ordinance 10-2022 and replaces with the following:

**Article I
Definitions**

§ 34-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ABANDONED PROPERTY

Any property that is determined to be abandoned pursuant to P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et seq.), as follows:

- A. Property must not have been legally occupied for six months and must meet any one of the following criteria:
- (1) Property is in need of rehabilitation, in the reasonable judgment of the public officer, and no rehabilitation has taken place during that six month period.
 - (2) Construction was initiated and discontinued prior to completion, leaving the building unsuitable for occupancy, and no construction has taken place for at least six months as of the date of determination that the building is abandoned.
 - (3) At least one installment of property tax remains unpaid and delinquent as of the date of determination.
 - (4) The property has been determined to be a nuisance by the public officer as defined in this section.
- B. Exceptions to abandoned property.

- (1) A property on which an entity other than the City holds a tax sale certificate is not deemed to be abandoned if the owner of the certificate:
 - (a) Continues to pay all municipal taxes and liens when due; and
 - (b) Initiates foreclosure proceedings within six months after the property is eligible for foreclosure.
- (2) A property used on a seasonal basis is deemed to be abandoned only if it meets any two of the criteria set forth in N.J.S.A. 55:19-81.
- C. A property which contains both residential and nonresidential space may be considered abandoned pursuant to N.J.S.A. 55:19-78 et seq. so long as 2/3 or more of the total net square footage of the building was previously legally occupied as residential space and none of the residential space has been legally occupied for at least six months at the time of the determination of abandonment by the public officer.

ABANDONED PROPERTY LIST

The list of abandoned properties established and maintained by the City's public officer pursuant to Article **III** of this chapter, which shall only include properties that fit the criteria for "abandoned property" as defined in this Article **I**.

APPLICABLE CODES

Includes, but is not limited to, the following City of Corbin City Codes: zoning, property rehabilitation and maintenance code, along with the state and county building and fire codes.

APPLICABLE ORDINANCES

Includes, but is not limited to, the City of Corbin City's Property Maintenance Standards Ordinance, Solid Waste Ordinance, as well as Residential and Commercial Recycling Ordinance.

CREDITOR

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.

DEFAULT

That the mortgagor has not complied with the terms of the mortgage on the property, or the promissory note, or the evidence of the debt, referred to in the mortgage.

ENFORCEMENT OFFICER

Any law enforcement officer, building official, zoning official, code enforcement officer, fire inspector or building inspector, or other person authorized by the City to enforce the applicable code(s).

FORECLOSURE

Legal process by which a mortgagee, or other lienholder, terminates a property owner's equitable right of redemption to obtain legal and equitable title to the real property pledged as security for a debt or the real property subject to the lien. This definition shall include, but is not limited to public notice of default, a deed-in-lieu of foreclosure, sale to the mortgagee or lienholder, certificate of title and all other processes, activities and actions, by whatever name, associated with the described process. The process is not concluded until the property obtained by the mortgagee, lienholder, or their designee, by certificate of title, or any other means, is sold to a nonrelated bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

LIENHOLDER or MORTGAGE HOLDER

Any person or entity holding a note, mortgage or other interest secured by the building or any part thereof.

MORTGAGEE

The creditor, including but not limited to trustees, mortgage service companies, and lenders in a mortgage agreement, any agent, servant or employee of the creditor, any successor in interest, or any assignee of the creditor's rights, interests or obligations under the mortgage agreement. The definition for "mortgagee" shall only apply to Article **III** of Chapter **34**.

NUISANCE

Any property that is determined by the public officer to be a nuisance if any one of the following applies:

- A. The property is found to be unfit for human habitation, occupancy or use pursuant to N.J.S.A. 40:48-2.3;
- B. The condition and vacancy of the property materially increases the risk of fire to the property and adjacent properties;
- C. The property is subject to unauthorized entry leading to potential health and safety hazards; the owner has failed to take reasonable and necessary measures to secure the property; or the City has secured the property in order to prevent such hazards after the owner has failed to do so;
- D. The presence of vermin or the accumulation of debris, uncut vegetation or physical deterioration of the structure or grounds has created potential health and safety hazards and the owner has failed to take reasonable and necessary measures to remove the hazards; or
- E. The dilapidated appearance or other condition of the property materially affects, including the economic welfare of, the residents of the area in close proximity to the property and the owner has failed to take reasonable and necessary measures to remedy the conditions.

OWNER

Includes the title holder, any agent of the title holder having authority to act with respect to a vacant property, any holder of legal or beneficial title, any foreclosing entity subject to the provisions of N.J.S.A. 46:10B-51 (P.L. 2008, c. 127, § 17) or any other entity determined by the City of Corbin City; also means the holder or holders of title to an abandoned property. The definition of "owner" shall only apply to Article **III** of Chapter **34**.

PUBLIC OFFICER

The compliance officer, or such other public officer designated or appointed by the City Council pursuant to N.J.S.A. 40:48-2.5.

QUALIFIED REHABILITATION ENTITY

An entity organized or authorized to do business under the New Jersey Statutes which shall have as one of its purposes the construction or rehabilitation of residential or nonresidential buildings, the provision of affordable housing, the restoration of abandoned property, the revitalization and improvement of urban neighborhoods, or similar purpose, and which shall be well-qualified by virtue of its staff, professional consultants, financial resources, and prior activities set forth in P.L. 2003, c. 10 (N.J.S.A. 55:19-78 et seq.), to carry out the rehabilitation of vacant buildings in urban areas.

REAL PROPERTY

Any improved residential or commercial land, buildings, leasehold improvements and anything affixed to the land or portion thereof identified by a block and lot number, located in the City of Corbin City are considered improved land.

CITY

The City of Corbin City, County of Atlantic, State of New Jersey.

VACANT AND ABANDONED

A property shall be deemed "vacant and abandoned" for purposes of Article **II**, §§ **34-2** to **34-4**, if:

- A. The property is not legally occupied by a mortgagor or tenant, and
- B. The property cannot be legally reoccupied, because of at least two of the following conditions:
 - (1) Overgrown or neglected vegetation;
 - (2) The accumulation of newspapers, circulars, flyers, or mail on the property;
 - (3) Disconnected gas, electric, or water utility services to the property;
 - (4) The accumulation of junk, litter, trash, or debris on the property;
 - (5) The accumulation of junk, litter, trash, or debris on the property;

- (6) The absence of window treatments such as blinds, curtains, or shutters;
- (7) The absence of furnishings and personal items;
- (8) Statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
- (9) Windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
- (10) Doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- (11) 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;
- (12) 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;
- (13) 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;
- (14) A written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
- (15) Any other reasonable indicia of abandonment.

Article II **Registration Requirements**

§ 34-2 Establishment and administration of registry.

- A. The City of Corbin City 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 deleterious effects of blight associated with vacant and abandoned properties that are not maintained.
- B. The City may, at its discretion, create, maintain, and administer this registry independently, retain the professional services of a third party pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., 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.

- C. Any third parties retained to create, maintain, and/or administer the registry shall have the authority, on behalf of the City, to:
- (1) Identify properties subject to the registration requirement;
 - (2) Maintain and update the registration list;
 - (3) Communicate with creditors and/or in-state representatives;
 - (4) Invoice and collect payment of fees;
 - (5) Monitor compliance; and
 - (6) Such other functions, within the scope of P.L. 2021, c. 444, which may be deemed necessary to carry out its function on behalf of the City.
- D. Any third parties retained to create, maintain, and/or administer the registry shall be required to comply with the following reporting and payment requirements:
- (1) Any and all amounts collected by the third party as part of its administration of the City's registry, including registration fees, interest, and penalties, shall be paid, in full, directly to the City, or Atlantic County, and/or county improvement authority, as applicable, not less than once per year, or as otherwise directed by the City's public officer. No fees, payments, expenses, or other deductions shall be made from this payment; payment for any third-party's services under this article shall be made by the City, or as applicable, the county/county improvement authority, directly to the third party, under the terms and conditions outlined within the contract for professional services.
 - (2) Not less than once per year on the first business day of each calendar year, or as otherwise may be requested by the Tax Collector, any third party administering the City's registry shall file with Tax Collector a certification identifying:
 - (a) The address, block, lot, and contact information of any property for which registration fees under this article are due and owing at the time of the certification;
 - (b) The amount of the registration fees, and separately, any interest, fines, and other penalties due and owing at the time of the certification; and
 - (c) The date on which the property became eligible for inclusion on the City's registry.
- E. The City's public officer 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. The responsibilities herein may be designated to a third party, pursuant to the terms and conditions of a contract for professional services consistent with P.L. 2021, c. 444.

§ 34-3 Registration, notice, and other creditor requirements.

- A. Within 30 days of the effective date of this article, 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 Corbin City: (i) prior to the effective date of this article, and (ii) which is pending as of the effective date of this article, shall provide notice in accordance with Subsection **B** of § **34-3**.
- 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 Corbin City, the creditor shall notify the City Clerk, 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 of "vacant and abandoned" in this Article **I**, Chapter **34**, § **34-1**, Definitions;
 - (4) The full name, address, telephone number, and email address 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, telephone number, and email address 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 noncompliance established within this Article **II**;

- (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, which shall include:
 - [1] Keeping the property free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including but not limited to furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned;
 - [2] Keeping the property free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure;
 - [3] Keeping all pools and spas free from stagnant water so the water structure remains clear of pollutants and debris.
 - (b) Secure the property against unauthorized entry, which shall include but not be limited to the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window;
 - (c) Post a sign on the inside of the property, visible to the public, no smaller than 18 inches by 24 inches, containing the name, address, telephone number, and email address of the creditor, or an out-of-state creditor's in-state representative or agent, for the purpose of receiving service of process;
 - (d) If different than the person receiving service of process, the sign posted inside the property must also include the name, address, telephone number, and email address of the person responsible for day-to-day supervision and management of the building;
 - (e) Post the property with "no trespassing" signs of a nature sufficient to give notice to any person entering upon the property that it is against the law to enter the property without permission of the creditor;
 - (f) Acquire and 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;

- (g) Provide proof, within 10 days of receiving a request by the City or its designee, that the above conditions have been satisfied.
- (h) 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 Code Official or his/her designee shall notify the creditor using the contact information provided in the property registry established by this Article **II**.

§ 34-4 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: \$500.
- 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.
- D. Violations.
 - (1) An out-of-state creditor subject to the notice and registration requirements of this Article **II**, 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 ten- or thirty-day requirement to notify the City of applicable foreclosure actions.
 - (2) A creditor subject to the notice and registration requirements of this Article **II**, found to be in violation of any part of this ordinance [with the exception of a violation pursuant to Subsection **D(1)**], shall be subject to a fine of \$1,500 for each day of the violation. The violation shall be deemed to commence on the thirty-first 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 eleventh 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 **II**, 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.

Article III

Abandoned Property Designation Program

§ 34-5 Designation and powers of public officer.

The public officer is hereby directed to identify abandoned properties within the City, place said properties on an abandoned property list, and provide such notices and carry out such other tasks as are required to effectuate an abandoned property list as provided by law.

§ 34-6 Abandoned property report.

The public officer shall provide a report to City Council and the Mayor every six months with respect to the number and location of properties on the abandoned property list, the status of those properties, and any actions taken by the City or by any qualified rehabilitation entity, designated pursuant to the authority granted the public officer, with respect to any property on the list or any other abandoned property within the City of Corbin City.

§ 34-7 Establishment of and updates to abandoned property list.

The public officer shall establish the abandoned property list and any additions or deletions thereto by authorizing the publication of the list in the official newspaper of the City of Corbin City, which publication shall constitute public notice, and, within 10 days after publication, shall send a notice, by certified mail, return receipt requested, and by regular mail, to the owner of record of every property included on the list. The published and mailed notices shall identify property determined to be abandoned, setting forth the owner of record, if known, the tax lot and block number and street address. The public officer, in consultation with the Tax Collector, shall also send out a notice by regular mail to any owner, mortgagee, servicing organization, or property tax processing organization that receives a duplicate copy of the tax bill pursuant to N.J.S.A. 54:4-64d. When the owner of record is not known for a particular property and cannot be ascertained by the exercise of reasonable diligence by the Tax Collector, notice shall not be mailed but instead shall be posted on the property in the manner as provided in N.J.S.A. 40:48-2.7. The mailed notice shall indicate the factual basis for the finding of the public officer that the property is abandoned property, as that term is defined herein and in N.J.S.A. 55:19-54, and shall specify the information relied upon in making such finding. In all cases, a copy of the mailed or posted notice shall also be filed by the public officer in the office of the Atlantic County Clerk. This filing shall have the same force and effect as a formal notice under N.J.S.A. 2A:15-6. The notice shall be captioned with the name of the City of Corbin City as "plaintiff" and the name of the property owner as "defendant," as though an action had been commenced by the City against the owner.

§ 34-8 Appeals of abandoned property list inclusion.

A. An owner or lienholder may challenge the inclusion of his property on the abandoned property list by appealing that determination to the public officer within 30 days of the owner's receipt of the certified notice or 40 days from the date upon which the notice was sent. An owner whose identity was not known to the public officer shall have 40 days from the date upon which notice was published or posted, whichever is later, to challenge the

inclusion of a property on the abandoned property list. For good cause shown, the public officer shall accept a late filing of an appeal. Within 30 days of receipt of a request for an appeal of the findings contained in the notice, the public officer shall schedule a hearing for redetermination of the matter. Any property included on the list shall be presumed to be abandoned property unless the owner, through the submission of an affidavit or certification asserting that the property is not an abandoned property, can demonstrate that the property was erroneously included on the list. The affidavit or certification shall be accompanied by supporting documentation, such as, but not limited to, photographs, repair invoices, bills and construction contracts. The sole ground for appeal shall be that the property in question is not abandoned property as that term is defined herein and in N.J.S.A. 55:19-54. The public officer shall decide any timely filed appeal within 10 days of the hearing on the appeal and shall promptly, by certified mail, return receipt requested, and by regular mail, notify the property owner of the decision and the reasons therefor.

- B. The property owner may challenge an adverse determination of an appeal with the public officer pursuant to § 34-12A by instituting, in accordance with the New Jersey Court Rules, a summary trial proceeding in the Superior Court, Law Division, Atlantic County, which action shall be tried de novo. Such action shall be instituted within 20 days of the date of the notice of decision mailed by the public officer. The sole ground for appeal shall be that the property in question is not an abandoned property as that term is defined in N.J.S.A. 55:19-54. The failure to institute an action of appeal on a timely basis shall constitute a jurisdictional bar to challenging the adverse determination, except that, for good cause shown, the court may extend the deadline for instituting the action.
- C. The public officer shall promptly remove any property from the abandoned property list that has been determined not to be abandoned on appeal.
- D. The abandoned property list shall become effective, and the City of Corbin City shall have the right to pursue any legal remedy with respect to properties on the abandoned property list, at such time as any after one property has been placed on the list in accordance with the provisions of this section, upon the expiration period for appeal with respect to the property or upon denial of an appeal brought by the property owner.

§ 34-9 Sale of tax lien.

- A. Notwithstanding the provisions of N.J.S.A. 54:5-19, or the provisions of any other law to the contrary, if a property is included on the abandoned property list and the property taxes or other City liens due on the property are delinquent for six or more quarters as of the date of expiration of the right to appeal the property's inclusion on the list or, if an appeal has been filed, as of the date that all opportunities for appeal of inclusion on the list have been exhausted, then the tax lien on the property may be sold in accordance with the procedures of the Tax Sale Law, N.J.S.A. 54:5-1 et seq., on or after the 90th day following the expiration of that time of appeal or final determination on an appeal.
- B. The City of Corbin City may, at its option, require that the sale of the tax sale certificate or any subsequent assignment or transfer of a tax sale certificate held by the City be subject to the express condition that the purchaser or assignee shall be obliged to perform and conclude any rehabilitation or repairs necessary to remove the property from the abandoned

property list pursuant to N.J.S.A. 55:19-55 and to post a bond in favor of the City to guarantee the rehabilitation or repair of the property. The public officer may waive a requirement to post a bond imposed by the City for any purchaser, assignee or transferee of a tax sale certificate that provides documentation acceptable to the public officer that the purchaser, assignee or transferee is a qualified rehabilitation entity as defined in N.J.S.A. 55:19-80. The cost of rehabilitation and repairs and the cost of the bond shall be added to the amount required to be paid by the owner for redemption of the property. The purchaser, assignee or transferee of the tax sale certificate who is required to rehabilitate and repair the property shall be required to file the appropriate affidavits with the Tax Collector, pursuant to N.J.S.A. 54:5-62, representing the amounts of monies expended periodically toward the rehabilitation or repair of the property. A purchaser, assignee or transferee shall be entitled to interest on the amounts expended, as set forth in the affidavits, at the delinquent rate of interest for delinquencies in excess of \$1,500 in effect for the time period when the amounts were expended, pursuant to N.J.S.A. 54:4-67. The tax sale certificate purchaser, assignee or transferee, with the authority of the City of Corbin City, shall be permitted to enter in and upon the property for the purposes of appraising the costs of rehabilitation and repair and to perform all other acts required to guarantee the completion of the rehabilitation or repair of the property. No rehabilitation or repair work shall be commenced, however, until proof of adequate liability insurance and an indemnification agreement, holding the City of Corbin City harmless, has been filed with the City Clerk.

C. Remediation by City.

- (1) If the City of Corbin City acquires the tax sale certificate for a property on the abandoned property list, then, upon 10 days' written notice to the property owner and any mortgagee as of the date of the filing of the notice pursuant to N.J.S.A. 55:19-55, the City shall be permitted to enter upon the property and remediate any conditions that caused the property to be included on the abandoned property list. No remediation shall be commenced, however, if within that ten-day period the owner or mortgagee shall have notified the City in writing that the owner or mortgagee has elected to perform the remediation itself. When the owner or mortgagee elects to perform the remediation itself, it shall be required to post bond in favor of the City of Corbin City in order to ensure performance. The amount and conditions of the bond shall be determined by the public officer.
- (2) The cost of remediation incurred by the City of Corbin City, as so certified by the entity incurring the cost upon completion of the remediation, shall constitute a lien upon the property first in time and right to any other lien, whether the other lien was filed prior to or after the filing of any lien by the City, except for City taxes, liens and assessments and any lien imposed pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq., together with any interest thereon. The certification of cost shall be filed and recorded as a lien by the entity incurring the cost with the Atlantic County Clerk.

D. Intent to maintain abandoned property.

- (1) Failure of an owner or lienholder to remove the property from the abandoned property list within the period of time for appeal of inclusion of the property on the list pursuant to N.J.S.A. 55:19-55 shall be prima facie evidence of the intent of the owner to continue to

maintain the property as abandoned property.

- (2) The clearance, development, redevelopment, or repair of property being maintained as an abandoned property pursuant to Subsection C(1) of this section shall be considered a public purpose and public use, for which the power of eminent domain may be lawfully exercised.

§ 34-10 Removal of property from abandoned property list.

- A. An owner may request removal of his/her/its property from the abandoned property list prior to sale of the tax sale certificate by paying all taxes and City liens due, including interest and penalties, and:
 - (1) By posting a certified check, money order, or a bond equal to the cost of remediating all conditions because of which the property has been determined to be abandoned pursuant to N.J.S.A. 55:19-55 and by posting a certified check, money order, or a bond to cover the cost of any environmental cleanup required on the property, evidenced by a certification by a licensed engineer retained by the owner and reviewed and approved by the public officer, stating that the certified check, money order, or bond adequately covers the cost of the cleanup; or
 - (2) By demonstrating to the satisfaction of the public officer that the conditions rendering the property abandoned have been remediated in full; provided, however, that where the public officer finds that the owner is actively engaged in remediating the conditions because of which the property was determined to be abandoned pursuant N.J.S.A. 55:19-55, as evidenced by significant rehabilitation activity on the property, the public officer may grant an extension of time of not more than 120 days for the owner to complete all work, during which time no further proceedings will be taken against the owner or the property.
- B. If the owner has posted a certified check, money order, or bond in order to have a property removed from the abandoned property list and the conditions because of which the property was determined to be abandoned have not been fully remediated within one year of the date of posting the cash or bond, or, in the case of a property which requires a remediation of any known, suspected or threatened release of contaminants, if the owner has failed to enter into a memorandum of agreement with the New Jersey Department of Environmental Protection or an administrative consent order, as the case may be, or if an agreement or order is in effect but the owner has failed to perform the remediation in conformance with the agreement or order, then the cash or bond shall be forfeited to the City, which shall use the cash or bond and any interest which has accrued thereon for the purpose of demolishing or rehabilitating the property or performing the environmental remediation. Any funds remaining after the property has been demolished, rehabilitated or cleaned up shall be returned to the owner.

§ 34-11 Expedited action to foreclose right of redemption.

- A. When a person or entity other than the City of Corbin City acquires a tax sale certificate for a property on the abandoned property list at tax sale, the purchaser may institute an action to foreclose the right of redemption at any time after the expiration of just six months following the date of the sale of the tax sale certificate.

- B. Notwithstanding N.J.S.A. 54:5-104.34, when the City of Corbin City is the purchaser at tax sale of any property on the abandoned property list pursuant to N.J.S.A. 54:5-34, an action to foreclose the right of redemption may be instituted in accordance with the provisions of Subsection b of N.J.S.A. 54:5-77.
- C. After the foreclosure action is instituted, the right to redeem shall exist and continue to exist until barred by the judgment of the Superior Court; provided, however, that no redemption shall be permitted except where the owner:
 - (1) Posts a certified check, money order, or a bond equal to the cost of remediating the conditions because of which the property was determined to be abandoned pursuant to N.J.S.A. 55:19-56, as determined by the court; or
 - (2) Demonstrates to the court that the conditions because of which the property was determined to be abandoned pursuant to N.J.S.A. 55:19-55 have been remedied in full.

§ 34-12 Entry of final judgment barring right of redemption; grounds for reopening judgment.

Once a final judgment barring the right of redemption with respect to a property on the list of abandoned properties has been recorded, no court shall reopen such judgment at any time except on the grounds of lack of jurisdiction or fraud in the conduct of the action; in any such proceeding, the provisions of N.J.S.A. 55:19-20 et seq. shall be construed liberally in favor of the purchaser, assignee or transferee of the tax sale certificate.

§ 34-13 Property deemed not abandoned; criteria; certification of abandonment provided upon request.

- A. If an entity other than the City of Corbin City has purchased or taken assignment from the City of a tax sale certificate on a property that has not been legally occupied for a period of six months, that property shall not be added to the abandoned property list pursuant to N.J.S.A. 55:19-55 if:
 - (1) The owner of the certificate has continued to pay all City taxes and liens on the property in the tax year when due; and
 - (2) The owner of the certificate takes action to initiate foreclosure proceedings within six months after the property is eligible for foreclosure pursuant to either Subsection a or b of N.J.S.A. 54:5-86, as appropriate, and diligently pursues foreclosure proceedings in a timely fashion thereafter.
- B. A property used on a seasonal basis shall be deemed abandoned only if it meets any two of the additional criteria set forth in N.J.S.A. 55:19-81.
- C. A determination that a property is abandoned property under the provisions of this article and N.J.S.A. 55:19-78 et seq. shall not constitute a finding that the use of the property has been abandoned for purposes of municipal zoning or land use regulation.
- D. Upon the request of a purchaser or assignee of a tax sale certificate seeking to bar the right

of redemption on an abandoned property pursuant to Subsection b of N.J.S.A. 54:5-86, the public officer or the Tax Collector shall, in a timely fashion, provide the requester with a certification that the property fulfills the definition of an "abandoned property" according to the criteria established in N.J.S.A. 55:19-81 and 55:19-82.

§ 34-14 Transfer of possession and control of abandoned property.

- A. A summary action or other action to transfer possession and control of abandoned property in need of rehabilitation to the City of Corbin City may be brought by the City in the Superior Court, Atlantic County. If the court shall find that the property is abandoned pursuant to N.J.S.A. 55:19-81 and that the owner or party in interest has failed to submit and initiate a rehabilitation plan, then the court may authorize the City to take possession and control of the property and to develop a rehabilitation plan.
- B. Where the City has been granted possession and control, the City may commence and maintain further proceedings for the conservation, protection or disposal of the property, or any part thereof, that are required to rehabilitate the property, recoup the cost and expenses of rehabilitation, and for the sale of the property; provided, however, that the court shall not direct the sale of the property if the owner applies to the court for reinstatement of control and possession of the property as permitted by N.J.S.A. 55:19-92.
- C. Failure by the owner, mortgage holder or lienholder to submit a plan for rehabilitation to the City, obtain appropriate construction permits or, in the alternative, submit formal applications for funding the cost of rehabilitation to local, state or federal agencies providing such funding, within the initial six-month period, shall be deemed prima facie evidence that the owner has failed to take any action to further the rehabilitation of the property.

§ 34-15 Property owner's defense against complaint; plan required.

- A. An owner may defend against a complaint filed pursuant to N.J.S.A. 55:19-84 by submitting a plan for the rehabilitation and reuse of the property which is the subject of the complaint and by posting a bond equal to 125% of the amount determined by the public officer or the court to be the projected cost of rehabilitation.
- B. Any plan submitted by an owner to defend against a complaint shall be submitted within 60 days after the complaint has been filed, unless the court provides the owner with an extension of time for good cause shown.
- C. A plan submitted by an owner pursuant to this section shall include, but not be limited to:
 - (1) A detailed financial feasibility analysis, including documentation of the economic feasibility of the proposed reuse, including operating budgets or resale prices, or both, as appropriate;
 - (2) A budget for the rehabilitation of the property, including sources and uses of funds, based on the terms and conditions of realistically available financing, including grants and loans;
 - (3) A timetable for the completion of rehabilitation and reuse of the property, including

milestones for performance of major steps leading to and encompassing the rehabilitation and reuse of the property; and

- (4) Documentation of the qualifications of the individuals and firms that will be engaged to carry out the planning, design, financial packaging, construction, and marketing or rental of the property.
- D. The court shall approve any plan that, in the judgment of the court, is realistic and likely to result in the expeditious rehabilitation and reuse of the property which is the subject of the complaint.
- (1) If the court approves the owner's plan, then it may appoint the public officer to act as monitor of compliance and progress. If the owner fails to carry out any step in the approved plan, then the City may apply to the court to have the posted bond forfeited, to transfer possession of the building to the City to complete the rehabilitation plan, and to grant authorization to use the bond proceeds for the rehabilitation.
 - (2) The owner shall provide bimonthly reports to the public officer on its activities and progress toward rehabilitation and reuse of the property.
- E. The court may reject a plan and bond if it finds that the plan does not represent a realistic and expeditious means of ensuring the rehabilitation of the property or that the owner or his representative or agents, or both, lack the qualifications, background or other criteria necessary to ensure that the plan will be carried out successfully.

§ 34-16 Owner's unsuccessful defense against complaint; mortgage holders or lienholders to be designated in possession of property.

- A. If an owner is unsuccessful in defending against a complaint filed pursuant to N.J.S.A. 55:19-84, the mortgage holder or lienholder may seek to be designated in possession of the property by submitting a plan and posting a bond meeting the same conditions as set forth in N.J.S.A. 55:19-87. Their plan must be submitted within 60 days following the court's rejection of the owner's plan, unless the court provides the mortgage holder or lienholder with an extension of time for good cause shown. If the court approves any such mortgage holder or lienholder's plan, it shall designate that party to be in possession of the property for purposes of ensuring its rehabilitation and reuse and may appoint the public officer to act as monitor of the party's compliance.
- B. The mortgage holder or lienholder, as the case may be, shall provide bimonthly reports to the court and the public officer on its activities and progress toward rehabilitation and reuse of the property.
- C. If the mortgage holder or lienholder fails to carry out any material step in the approved plan, then the public officer shall notify the court, which may order the posted bond forfeit, grant the City possession of the property, and authorize the City to use the proceeds of the bond for rehabilitation of the property.
- D. Any sums incurred or advanced for the purpose of rehabilitating the property by a mortgage

holder or lienholder granted possession of a property pursuant to Subsection A of this section, including court costs and reasonable attorneys' fees, may be added to the unpaid balance due that mortgage holder or lienholder, with interest calculated at the same rate set forth in the note or security agreement, or, in the case of a tax lienholder, at the statutory interest rate for subsequent liens.

§ 34-17 City to be designated in possession of property; submission of plan to court.

- A. If no mortgage holder or lienholder meets the conditions of N.J.S.A. 55:19-88, then the City may submit a plan to the court which conforms with the provisions of N.J.S.A. 55:19-87. Such plan shall designate whether the City or a qualified rehabilitation entity shall undertake the rehabilitation plan in accordance with the provisions of N.J.S.A. 55:19-90.
- B. The court shall grant the City or qualified rehabilitation entity possession of the property if it finds that:
- (1) The proposed rehabilitation and reuse of the property is appropriate and beneficial;
 - (2) The City or qualified rehabilitation entity is qualified to undertake the rehabilitation and reuse of the property; and
 - (3) The plan submitted by the City or qualified rehabilitation entity represents a realistic and timely plan for the rehabilitation and reuse of the property.
- C. The City or qualified rehabilitation entity shall take all steps necessary and appropriate to further the rehabilitation and reuse of the property consistent with the plan submitted to the court. In making its finds pursuant to this subsection, the court may consult with qualified parties, including the New Jersey Department of Community Affairs, and, upon request by a party in interest, may hold a hearing on the plan.
- D. Where either a redevelopment plan pursuant to N.J.S.A. 40A:12-1 et seq. or a neighborhood revitalization plan pursuant to N.J.S.A. 52:27D-490 et seq. has been adopted or approved by the New Jersey Department of Community Affairs, as appropriate, encompassing the property which is subject of a complaint, the court shall make a further finding that the proposed rehabilitation and reuse of the property are not inconsistent with any provision of either plan.

§ 34-18 City exercise of rights to further rehabilitation and reuse of property; designation of qualified rehabilitation entity.

- A. The City may exercise its rights under N.J.S.A. 55:19-78 et seq. directly or may designate a qualified rehabilitation entity for the purpose of exercising the City's rights, where that designation will further the rehabilitation and reuse of the property consistent with City plans and objectives. This designation shall be made by resolution of the City Council of the City of Corbin City.
- B. Regardless of whether the City exercises its rights directly or designates a qualified rehabilitation entity pursuant to this section, while in possession of a property pursuant to N.J.S.A. 55:19-78 et seq., the City shall maintain, safeguard, and maintain insurance on the

property. Notwithstanding the City's possession of the property, nothing in N.J.S.A. 55:19-78 et seq. shall be deemed to relieve the owner of the property of any civil or criminal liability or any duty imposed by reason of acts or omissions of the owner.

§ 34-19 City deemed possessor of property; borrowing of funds; reporting and filing requirements.

- A. If the City has been granted possession of the property pursuant to N.J.S.A. 55:19-89, the City shall be deemed to have an ownership interest in the property for the purpose of filing plans with public agencies and boards, seeking and obtaining construction permits and other approvals, and submitting applications for financing or other assistance to public or private entities.
- B. For purposes of any state program of grants or loans, including but not limited to programs of the New Jersey Department of Community Affairs and the New Jersey Housing and Mortgage Finance Agency, possession of a property under this subsection shall be considered legal control of the property.
- C. Notwithstanding the granting of possession to the City, nothing in N.J.S.A. 55:19-78 et seq., shall be deemed to relieve the owner of the property of any obligation the owner or any other person may have for the payment of taxes or other City liens and charges, or mortgages or liens to any party, whether those taxes, charges or liens are incurred before or after the granting of possession.
- D. The granting of possession shall not suspend any obligation the owner may have as of the date of granting possession for payment of any operating or maintenance expense associated with the property, whether or not billed at the time of the granting of possession.
- E. The court may approve the borrowing of funds by the City to rehabilitate the property and may grant a lien or security interests with priority over all other liens or mortgages other than municipal liens. Prior to granting this lien priority, the court must find as follows:
 - (1) The City sought to obtain the necessary financing from the senior lienholder, which declined to provide such financing on reasonable terms;
 - (2) The City sought to obtain a voluntary subordination from the senior lienholder, which refused to provide such subordination; and
 - (3) Lien priority is necessary in order to induce another lender to provide financing on reasonable terms. No lien authorized by the court shall take effect unless recorded with the Clerk of Atlantic County.
- F. Where the City has been granted possession by the court in the name of the City, the City may seek the approval of the court to assign its rights to another entity, which approval shall be granted by the court when it finds that:
 - (1) The entity to which the City's rights will be assigned is a qualified rehabilitation entity; and
 - (2) The assignment will further the purposes of this section.

- G. Where the City has designated a qualified rehabilitation entity to act on its behalf, the qualified rehabilitation entity shall provide bimonthly reports to the City on its activities and progress toward rehabilitation and reuse of the property. The City or qualified rehabilitation entity, as the case may be, shall provide such reports to the court as the court determines to be necessary. If the court finds that the City or its designee has failed to take diligent action toward rehabilitation of the property within one year from the grant of possession, then the court may request that the City designate another qualified rehabilitation entity to exercise its rights or, if the City fails to do so, may terminate the order of possession and return possession and control of the property to its owner.
- H. The City shall file a notice of completion with the court, and shall also serve a copy on the owner and any mortgage holder or lienholder, at such time as the City has determined that no more than six months remain to the anticipated date on which rehabilitation will be complete. This notice shall include an affidavit of the public officer, attesting that the rehabilitation is anticipated to be completed within that time period, and a statement setting forth the actions as it plans to undertake consistent with the plan.

§ 34-20 Petition for reinstatement of control and possession by owner.

- A. An owner may petition for reinstatement of the owner's control and possession of the property at any time after one year from the court's removal of possession, but no later than 30 days after the City has filed a notice of completion with the court or, in the event the notice of completion is filed within less than one year of the grant of possession, within 30 days after the City has filed said notice.
- B. The court may allow additional time for good cause if that additional time does not materially delay completion of the rehabilitation, place undue hardship on the City or affect any of the terms or conditions under which the City has applied for or received financing for the rehabilitation of the property.
- C. Any petition to reinstate the owner's control and possession of the property filed pursuant to N.J.S.A. 55:19-92 shall:
 - (1) Include a plan for completion of the rehabilitation and reuse of the property consistent with the plan previously approved by the court;
 - (2) Provide legally binding assurance that the owner will comply with all conditions of any grant or loan secured by the City or repay those grants or loans in full, at the discretion of the maker of the loan or grant; and
 - (3) Be accompanied by payment equal to the sum of all City liens outstanding on the property; all costs incurred by the City in bringing action with respect to the property; any costs incurred by the City not covered by grants or loans to be assumed or repaid pursuant to this section; and any costs remaining to complete rehabilitation or reuse of the property, as determined by the public officer, which payment shall be placed in escrow with the clerk of the court ending disposition of the petition.

§ 34-21 Obligation of owner prior to grant of petition.

- A. Prior to the granting of a petition on the part of the owner by the court pursuant to N.J.S.A. 55:19-92; the owner may be required to post a bond or other security in an amount determined by the court, after consultation with the public officer, as likely to ensure that the owner will continue to maintain the property in sound condition. That bond or other security shall be made available to the City to make any repair on the property in the event of a code violation which is not corrected in timely fashion by owner. The bond or other security may be forfeited in full in the event that the owner fails to comply with any requirement imposed as a condition of the reinstatement petition filed pursuant to N.J.S.A. 55:19-92.
- B. The owner may seek approval of the court to be relieved of this requirement after five years, which shall be granted if the court finds that the owner has maintained the property in good repair during that period, that no material violations affecting the health and safety of the tenants have occurred during that period, and that the owner has remedied other violations in a timely and expeditious fashion.

§ 34-22 Failure of owner to petition for reinstatement of control and possession of property; granting of title to City; authority to sell.

If the owner fails to petition for the reinstatement of control and possession of the property within 30 days after the City has filed a notice of completion or, in any event, within two years after the initial grant of possession, or if the owner fails to meet any conditions that may be set by the court in granting a reinstatement petition, the court may grant the City title or authorize the City to sell the property, subject to the provisions of N.J.S.A. 55:19-96.

§ 34-23 Procedure for City to place liens, obtain title and sell property.

- A. The City, with the approval of the court, may place a lien on the property to cover any costs of the City in connection with any proceeding under N.J.S.A. 55:19-78 et seq., incurred prior to the grant by the court of an order of possession, which may include costs incurred to stabilize or secure the property to ensure that it can be rehabilitated in a cost-effective manner. Any such lien shall be considered a City lien for the purposes of N.J.S.A. 54:5-9, with the rights and status of a City lien pursuant thereto.
- B. Where the City seeks to gain title to the property, it shall purchase the property for fair market value on such terms as the court shall approve and may place the proceeds of sale in escrow with the court.
- C. The court may authorize the City to sell the building free and clear of liens, claims and encumbrances, in which event all such liens, claims and encumbrances shall be transferred to the proceeds of sale with the same priority as existed prior to resale in accordance with the provisions of this section, except that municipal liens shall be paid at settlement. The proceeds of the purchase of the property shall be distributed as set forth in N.J.S.A. 55:19-97.
- D. The City may seek approval of the court to sell the property to a third party when the court finds that such conveyance will further the effective and timely rehabilitation and reuse of the property.

- E. Upon approval by the court, the City shall sell the property on such terms and at such price as the court shall approve and may place the proceeds of sale in escrow with the court. The court shall order a distribution of the proceeds of sale after paying court costs in the order of priority set forth in N.J.S.A. 55:19-97.

§ 34-24 Distribution of proceeds.

- A. The proceeds paid pursuant to Subsection c of N.J.S.A. 55:19-96 shall be distributed in the following order of priority:

- (1) The costs and expense of sale;
- (2) Other governmental liens;
- (3) Repayment of principal and interest on any borrowing or indebtedness incurred by the City and granted priority lien status pursuant to Subsection a of N.J.S.A. 55:19-98;
- (4) A reasonable development fee to the City consistent with the standards for development fees established for rehabilitation by the New Jersey Department of Community Affairs or the New Jersey Housing and Mortgage Finance Agency;
- (5) Other valid liens and security interest, in accordance with their priority; and
- (6) The owner.

§ 34-25 Recourse of City; city council authority to place lien; remedies.

- A. With respect to any lien placed against real property pursuant to the provisions of N.J.S.A. 40:48-2.3, 40:48-2.5, or 40:48-2.3a, or any receiver's lien pursuant to N.J.S.A. 2A:42-114 et seq., the City shall have recourse with respect to the lien against any assets of the owner of the property if an individual, against any assets of any partner if a partnership, and against any asset of any owner of a 10% interest or greater if the owner is any other business organization or entity recognized pursuant to law.
- B. The city council, with the approval of the court, may place a lien on the property to cover any costs of the City in connection with a proceeding under N.J.S.A. 55:19-78 et seq., incurred prior to the grant by the court of an order of possession under N.J.S.A. 55:19-78 et seq. which may include costs incurred to stabilize or secure the property to ensure that it can be rehabilitated in a cost-effective manner. Any such lien shall be considered a City lien for the purposes of N.J.S.A. 54:5-9, with the rights and status of a City lien pursuant thereto.
- C. With the exception of the holding of special tax sales pursuant to N.J.S.A. 55:19-101, the remedies available under N.J.S.A. 55:19-78 et seq. shall be available to the City with respect to any abandoned property, whether or not the City has established an abandoned property list and whether or not the property at issue has been included on any such list.

§ 34-26 Special tax sale and criteria for bidders.

- A. The City may hold special tax sales with respect to those properties eligible for tax sale pursuant to N.J.S.A. 54:5-19 which are also on the abandoned property list.

- B. The City shall establish criteria for eligibility to bid on properties at the sale, which may include, but need not be limited to:
- (1) Documentation of the bidder's ability to rehabilitate or otherwise reuse the property consistent with City plans and regulations;
 - (2) Commitments by the bidder to take action to foreclose on the tax lien by a date certain; and
 - (3) Such other criteria as the City may determine are necessary to ensure that the properties to be sold will be rehabilitated or otherwise reused in a manner consistent with the public interest.
- C. The City may establish minimum bid requirements for a special tax sale that are less than the full amount of the taxes, interest and penalties due, the amount of such minimum bid to be at the sole discretion of the City, in order to ensure that the properties to be sold will be rehabilitated or otherwise reused in a manner consistent with the public interest.
- D. The City may combine properties in said special tax sale into bid packages and require that bidders place a single bid on each package, rejecting any and all bids on individual properties that are submitted.
- E. The City may sell said properties subject to the provision that, if the purchaser fails to carry out any commitment that has been set forth as a condition of sale or misrepresents any material qualification that has been established as a condition of eligibility to bid pursuant thereto, then the properties and any interest thereto acquired by the purchaser shall revert to the City, and any amount paid by the purchaser to the City at the special tax sale shall be forfeit to the City.
- F. In the event there are two or more qualified bidders for any property or bid package in a special tax sale, the City may designate the unsuccessful qualified bidder whose bid was closest to the successful bid as an eligible purchaser.
- G. In the event that the selected purchaser of that property or bid package fails to meet any of the conditions of sale established by the City pursuant to this section and his/her/its interest in the property or properties reverts to the City, the City may subsequently designate the entity previously designated as an eligible purchaser as the winning bidder for the property or properties and assign the tax sale certificates to that entity on the basis of that entity's bid at the special tax sale, subject to the terms and conditions of the special tax sale.
- H. The City shall provide notice of a special tax sale pursuant to N.J.S.A. 54:5-26. The notice shall include any special terms of sale established by the City pursuant to this section. Nothing shall prohibit the City from holding a special tax sale on the same day as a standard or accelerated tax sale.

§ 34-27 Removal of property from abandoned property list.

A property on which an entity other than the City has purchased or taken assignment from the City of a tax sale certificate which has been placed on the abandoned property list may be removed if the owner of the certificate pays all municipal taxes and liens due on the property

within 30 days after the property is placed on the list; provided, however, that if the owner of the certificate fails to initiate foreclosure proceedings within six months after the property was first placed on the list, the property shall be restored to the abandoned property list in accordance with the provisions of N.J.S.A. 55:19-103.

§ 34-28 Interested parties may request additions to abandoned property list.

- A. Any interested party may submit a written request to the public officer asserting that any property within the City should be included on the abandoned property list prepared pursuant to N.J.S.A. 55:19-55, specifying the street address and block and lot number of the property to be included and the grounds for its inclusion. Within 30 days of receipt of any such request, the public officer shall provide a written response to the party, either indicating that the property will be added to the list or, if not, the reasons for not adding the property. For the purposes of this section, the term "interested parties" shall include any resident of the City, any owner or operator of a business within the City or any organization representing the interests of residents, business owners or otherwise engaged in furthering the revitalization and improvement of the neighborhood in which the property is located.
- B. Any interested party may participate in a redetermination hearing regarding the inclusion of a property on the abandoned property list. Upon written request by any interested party, the public officer shall provide that party with at least 20 days' notice of any such hearing. The party shall provide the public officer with notice, at least 10 days before the hearing, of its intention to participate and the nature of the testimony or other information that it proposes to submit at the hearing.

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ATTEST:

WAYNE SMITH

MAYOR

ALEXANDER BAUER, CLERK