

**TOWN OF GUTTENBERG  
COUNTY OF HUDSON, STATE OF NEW JERSEY**

**ORDINANCE #02-23**

**AN ORDINANCE AMENDING CHAPTER 13 OF THE REVISED GENERAL  
ORDINANCES OF THE TOWN OF GUTTENBERG PROPERTY MAINTENANCE TO  
REQUIRE PERIMETER FENCING OF EMPTY LOTS**

**WHEREAS**, vacant and empty lots present an opportunity for trespass, dumping and other nuisances;

**BE IT ORDAINED**, by the Mayor and Council of the Town of Guttenberg, County of Hudson, State of New Jersey that the Revised General Ordinances of the Town of Guttenberg is hereby amended as follows:

**SECTION I**

Section 13-11 of the Revised General Ordinances of the Town of Guttenberg here is hereby renumbered as Section 13-12 and such section shall read:

Any person found guilty of a violation of Section 13-9, 13-10 and/or 13-11 of this chapter shall be liable to the penalty stated in Chapter 1, Section 1-5.

**SECTION II**

A new Section 13-11 is added to the Revised General Ordinances of the Town of Guttenberg and it shall read as follows:

§13-11 Fencing of Vacant Lots.

- a. In addition to other requirements of the Revised General Ordinances of the Town of Guttenberg applicable thereto, fencing of at least six-feet in height shall be installed along the entire perimeter of any vacant lot or group of contiguous vacant lots under common ownership, in such a manner so as to secure the perimeter such lot or contiguous group thereof from unauthorized access and dumping.
- b. For purposes of this ordinance vacant lot means all platted or unplatted parcels of land that are classified by the municipal assessor as Class 1 and described as vacant land on the most recent tax assessor's list or that would qualify for such designation and description, not including, however, any residential lot(s) that adjoins improved residential lots under common ownership, that is or are maintained and/or habitually utilized by the occupants

of the adjoining improved residential lot(s), as if it/they were part of the adjoining improved lot(s) under common ownership.

- c. Each week such fencing is not present may be considered a separate violation of this section.

### **SECTION III**

**Severability.** The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

### **SECTION IV**

**Repealer.** All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

### **SECTION V**

**Codification.** The Town Clerk shall have this Ordinance incorporated in the official copies of the Revised General Ordinances. The Town Clerk and the Town Attorney be and are hereby authorized and directed to correct any typographical error and to change any heading, chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those headings and numbers and existing provisions of the Revised General Ordinances of the Town of Guttenberg, or as they may otherwise deem appropriate, even if headings, chapter numbers, article numbers and section numbers are otherwise provided for in this Ordinance.

### **SECTION VI**

This Ordinance shall take effect upon passage and publication as required by law.

### **Summary of Ordinance**

This Ordinance requires perimeter fencing of empty lots within the Town.

*S/ Johanna Fermaint*

*Introduction: 1.23.23*

*Adoption: 2.27.23*