**ORDINANCE #2023-4**

**ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 1 "GENERAL," ARTICLE 5 "GENERAL PENALTY," SECTION 2 "BUILDING, HOUSING, ZONING OR PROPERTY MAINTENANCE PENALTY" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT**

**WHEREAS**, the Borough of Keyport (the "Borough") is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, pursuant N.J.S.A. 40:48-1 et seq. the Mayor and Council of the Borough have the power to adopt, amend, repeal, and enforce ordinances for the public health, safety and welfare of the Borough and its inhabitants; and

**WHEREAS**, the Mayor and Borough Council declare that in order to promote public health, safety and welfare it is imperative that the Borough update its code; and

**WHEREAS**, the Mayor and Borough Council hereby desire to amend Chapter 1, Article 5, Section 2 entitled "Building, Housing, Zoning or Property Maintenance Penalty" to reflect that the time to abate the public health and safety violations shall be shortened to seven days, which is inherently in the public interest;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Keyport, County of Monmouth, New Jersey that:

**Section 1**. The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2**. Chapter 1, Article 5, Section 2 entitled "Building, Housing, Zoning or Property Maintenance Penalty" is hereby amended as follows (additions are underlined and deleted language noted by strikeout):

> If the violation is of a provision of any building, housing, zoning or property maintenance code and the Code Enforcement Bureau Official or other Code Enforcement Officer chooses to impose a fine in an amount greater than $1,250, the owner or agent or contractor or other person having control of the building or premises shall have a period of not less than ~~30~~ 7 days in which the owner, agent or contractor shall be afforded the opportunity to cure or abate the condition constituting the violation. Subsequent to the expiration of the ~~thirty~~seven-day period a fine greater than $1,250 may be imposed if a Court of competent jurisdiction has not determined otherwise or, upon reinspection of the property, it is

determined that the abatement has not been substantially completed.

**Section 3**. All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed.

**Section 4**. Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

**Section 5**. Except as amended by this ordinance, all other provision of the Borough's Revised General Ordinances shall remain in full force and effect.

**Section 6**. The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof.

**Section 7**. This ordinance shall be in full force and effect from and after its adoption and any publication according to law.

Introduced: May 2, 2023
Public Hearing: May 16, 2023
Adopted: May 16, 2023

Michele Clark, RMC
Borough Clerk

Rose P. Araneo, Mayor
Borough of Keyport