

**ORDINANCE 26-02**

**AMENDING ORDINANCE 20-07**

**AMENDING AND SUPPLEMENTING THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF MATAWAN  
CHAPTER 15 – PROPERTY MAINTENANCE  
ARTICLE I – SECTION 15-2  
MAINTENANCE OF VACANT PROPERTIES, STRUCTURES  
REGISTRATION REQUIREMENTS AND FEES**

**TO UPDATE AND ENHANCE VACANT PROPERTY REGULATIONS**

**WHEREAS**, the Borough of Matawan recognizes the negative impacts that prolonged vacancies, including storefronts and other commercial properties, have on the health, safety, and economic vitality of the community; and

**WHEREAS**, maintaining vacant buildings and storefronts in a safe, clean, and aesthetically appropriate conditions is necessary to protect the character of neighborhoods, support business districts and prevent blight; and

**WHEREAS**, escalating registration fees for prolonged vacancies and the establishment of clear maintenance standards serve as effective tools to incentivize the timely rehabilitation and reuse of properties; and

**WHEREAS**, the Borough seeks to align its vacant property policies with best practices adopted by neighboring municipalities to strengthen enforcement, enhance transparency, and promote property reuse.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Matawan, County of Monmouth, State of New Jersey, that Chapter 15, Section 2 of the Borough of Matawan Code shall be amended and supplemented as follows:

**§15-2 MAINTENANCE OF VACANT PROPERTIES, STRUCTURES  
REGISTRATION REQUIREMENTS AND FEES**

**§15-2.1 Definitions**

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

**OWNER**

Shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of, or any other entity determined by the Borough of Matawan to have authority to act with respect to the property.

**VACANT PROPERTY**

~~Shall mean any building or structure~~ Any building, structure or storefront intended for or having an existing commercial, industrial, mixed-use, single or multifamily residential use, and which is not legally occupied or at which substantially all lawful commercial, business, construction operations or residential occupancy has ceased for a period of 90 consecutive days, or said structure is in such condition that it cannot legally be occupied without repair, renovation, or rehabilitation; provided, however, that any property that contains all building systems or components in working order and is being actively marketed by its owner for sale or rental, shall not be deemed vacant. Property determined to be "abandoned property" in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., which shall include commercial, industrial, single or

multifamily, or mixed-use residential structures are deemed to be vacant property for the purposes of this section. However, the owner or owner's agent shall maintain and secure the property even if the property, building, or structure has been placed for sale or rental until such time as the property, building, or structure is sold or rented and occupied.

### **§15-2.2 General Requirements**

- a. Effective upon the adoption of this Ordinance, the owner of any vacant property or structure as defined herein shall within 60 days after the building or structure becomes vacant property or within 30 days after assuming ownership of the vacant property or structure, whichever is later, file a registration statement for each such vacant property or structure with the Property Maintenance Officer or any other designated Borough Representative on forms provided by the Borough of Matawan for such purposes. The registration shall remain valid for one year from the date of registration. The owner shall be required to renew the registration annually as long as the building or structure remains vacant property and shall pay a registration or renewal fee in the amount prescribed in §15-2.4 of this section for each vacant property registered.
- b. Any owner of any building that meets the definition of “vacant property” prior to the effective date of this section shall file a registration statement for that property on or before September 1, 2020. The registration statement shall include the information required under the appropriate subsection of this section as well as any additional information that the Borough may reasonably require.
- c. The owner shall notify the Property Maintenance Officer or any other designated Borough Representative within 30 days of any change in the registration information by filing an amended registration statement on a form provided by the Borough for such purpose. Upon any transfer of title or change of ownership, the new owner of the vacant property shall be assessed an initial registration fee in the amount of \$500.00 as a new owner.
- d. The registration statement shall be deemed an official record and business record in any administrative enforcement proceeding or court proceeding instituted by the Borough of Matawan against the owner, owners, or other responsible parties responsible for the building or structure.

### **§15-2.3 Registration Statement Requirements; Property Inspection**

After filing a registration statement or a renewal of a registration statement, the owner of any vacant property or structure shall provide access by the Borough's agent or representative to conduct an exterior and interior inspection of the building to determine compliance with the Municipal Code, following reasonable notice, during the period covered by the initial registration or any subsequent renewal. Owners shall allow Borough representatives access to both interior and exterior areas of the property for inspection purposes upon 72 hours' written notice. Inspections shall occur on weekdays between 9:00 AM and 4:00 PM, unless otherwise agreed.

- a. The registration statement shall include the name, street address and telephone number of a person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of such owner or owners in connection with the enforcement of any applicable code. This person must maintain an office in the State of New Jersey. The statement shall also include the name of the person responsible for the maintenance and security of the property, if different.
- b. An owner who is a person who meets the requirements of this section as to location of residence or office may designate him or herself as agent.
- c. By designating an authorized agent under the provisions of this section, the owner or designated agent consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to

consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the Borough's agent or representative of a change of authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this Ordinance.

**§15-2.4 Fee Schedule**

~~The initial registration fee for each building shall be five hundred (\$500.00) dollars. The fee for the first renewal is one thousand (\$1,000.00) dollars, and the fee for the second renewal is one thousand five hundred (\$1,500.00) dollars. The fee for any subsequent renewal beyond the second renewal is two thousand (\$2,000.00) dollars.~~

~~————— Vacant Property / Building Registration Fee Schedule~~

<del>Initial registration</del>	<del>\$ 500.00</del>
<del>First renewal</del>	<del>\$1,000.00</del>
<del>Second renewal</del>	<del>\$1,500.00</del>
<del>Any subsequent renewal</del>	<del>\$2,000.00</del>

- **Single-family residential properties:**

<u>Initial Registration Fee</u>	<u>\$250.00</u>
<u>First Renewal Fee</u>	<u>\$500.00</u>
<u>Second Renewal Fee</u>	<u>\$1,000.00</u>
<u>Each Subsequent Renewal</u>	<u>\$2,000.00</u>

- **All other properties (commercial, industrial, multi-family, mixed-use, and storefronts):**

<u>Initial Registration Fee</u>	<u>\$500.00</u>
<u>First Renewal Fee</u>	<u>\$1,500.00</u>
<u>Second Renewal Fee</u>	<u>\$3,000.00</u>
<u>Each Subsequent Renewal</u>	<u>\$5,000.00</u>

**§15-2.5 Requirements for Owners of Vacant Property**

The owner, owners, or the authorized agent of any building that has become or is a vacant property, and any person maintaining, operating or collecting rent for any such building that has become vacant shall, within 30 days:

- a. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the State of New Jersey and the Borough of Matawan, or as set forth in rules and regulations adopted by the Borough of Matawan to supplement those codes; and
- b. Post a permanent laminated or protected sign in a form specified by the Borough agent or representative and affixed to the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process, and the person responsible for day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18 inches x 24 inches. The sign shall be professional made and printed (no handwritten signs will be permitted).
- c. Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete.
- d. Maintain exterior grounds, including sidewalks, alleys, driveways, and visible storefront areas, in a clean, safe, and well-kept condition.
- e. Maintain vacant storefronts so that windows are clear, clean, and free of debris. If the interior is visible from the public right-of-way, it must be kept broom-clean and free of clutter or trash.

- f. Install a temporary window display or attractive window covering to maintain aesthetic appearance where a storefront is vacant.

#### **§15-2.6 Administration**

The Borough of Matawan may issue rules and regulations for the administration of the provisions of this section as it deems necessary.

#### **§15-2.7 Violations and Penalties**

- a. Any owner who is not in full compliance with this section or who otherwise violates any provision of this section or of the rules and regulations issued hereunder shall be in addition to the payment of the prescribed licensing fee, be subject to a fine of not less than \$200.00 and not more than ~~\$1,000.00~~ \$2,000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this section shall be recoverable from the owner and shall be a lien on the property and all such legal fees associated with any reasonable cost recoverable from the owner as well.
- b. For purposes of this section, failure to file a registration statement in time, failure to provide correct information on the registration statement, failure to comply with the provisions of §15-2.2 through and including §15-2.5 of this chapter, or such other matters as may be established by the rules and regulations of the Borough of Matawan, shall be deemed to be violations of this ordinance.
- c. Nothing in this section is intended to nor shall be read to conflict or prevent the Borough of Matawan from taking action against owners of building or structures found to be unfit for human habitation or are unsafe structures as provided in applicable provision of the Code of the Borough of Matawan, including but not limited to provisions of the State or Borough Building or Property Maintenance codes. Further, any action taken under any such code provision other than the demolition of a structure shall relieve an owner from its obligations under this ordinance.
- d. This Ordinance shall take effect immediately upon final passage and publication and in accordance with the laws of the State of New Jersey.
- e. The administration of this section shall be under the authority of the Property Maintenance Officer of the Borough of Matawan.
- f. Any creditor filing a foreclosure complaint shall register the property or storefront if it becomes vacant and shall be subject to all maintenance obligations and penalties set forth in this section. A creditor's failure to comply shall be subject to enforcement, including fines of up to \$1,500.00 per day for each violation. Such fines shall be recoverable from the creditor and shall constitute a lien on the property.

#### **§15-2.8 Waiver of Fees (New Section)**

The Borough Administrator may waive registration fees for good cause shown, including, but not limited to:

1. Demonstrated active marketing efforts verified by a licensed real estate professional;
2. Full compliance with all Borough codes;
3. Payment of all other outstanding municipal fees.

**BE IT FURTHER ORDAINED**, any Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

**BE IT FURTHER ORDAINED**, if any provisions of this Ordinance, or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not

affect the other provisions or applications of this Ordinance, which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**BE IT FURTHER ORDAINED**, this Ordinance shall take effect immediately upon following the passage, adoption and publication pursuant to New Jersey State law.

Introduced: January 20, 2026  
Passed: January 20, 2026  
Adopted: February 3, 2026

(Signature on File)

---

Honorable Joseph Altomonte, Mayor

#### **CERTIFICATION OF ORDINANCE**

I, Karen Wynne, Municipal Clerk of the Borough of Matawan, County of Monmouth, and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Council of the Borough of Matawan on February 3, 2026.

**IN WITNESS WHEREOF**, I have hereunder set my hand and seal of the Borough of Matawan this 3<sup>rd</sup> day of February, 2026.

*Karen Wynne*

---

Karen Wynne, RMC  
Municipal Clerk