

**ORDINANCE OF THE BOROUGH OF BROOKLAWN,  
COUNTY OF CAMDEN AND STATE OF NEW JERSEY  
AMENDING CHAPTER 114, PROPERTY MAINTENANCE,  
IN THE CODE OF THE BOROUGH OF BROOKLAWN**

**BE IT ORDAINED** by the Borough Council of the Borough of Brooklawn, County of Camden, and State of New Jersey, that Chapter 114, Property Maintenance, in the Code of the Borough of Brooklawn, be amended as follows:

**Article II.  
Vacant Properties**

**ARTICLE I.    ARTICLE II.    SECTION 114-8    Definitions.**

**RESPONSIBLE PARTY** - means the title holder of a vacant and abandoned property or a creditor responsible for the maintenance of a property pursuant to section 17 of P.L. 2008, c. 127 (C. 46:10B-51).

**VACANT AND ABANDONED PROPERTY** - means any residential or commercial building which is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, and at which at least two of the following conditions exist:

- (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 hazardous, noxious or unhealthy substances or materials 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 damages, 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.    ARTICLE II.    SECTION 114-9    Registration Requirements.**

The responsible party of any vacant property as defined herein shall, within thirty (30) calendar days after the building becomes vacant property or within thirty (30) calendar days after assuming control of the vacant property, whichever is later; or within ten (10) calendar days of receipt of notice by the municipality, file a registration statement for such vacant property with the Property Maintenance Inspector on forms provided by the Borough of Brooklawn for such purposes. Failure to receive notice by the municipality shall not constitute grounds for failure to register the property.

A. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.

B. The registration statement shall include the name, street address, telephone number and e-mail address (if applicable) of a person 21 years or older, designated by the responsible party or parties 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 or responsible parties in connection with the enforcement of any applicable code; and the name, street address, telephone number and e-mail address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24 hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.

C. The registration shall remain valid for one (1) year from the date of registration, except for the initial registration time, which shall be pro-rated through December 31. The responsible party shall be required to renew the registration annually as long as the building remains a vacant property and shall pay a registration or renewal fee in the amount prescribed in Section 114-21 of this Ordinance, for each vacant property registered.

D. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date.

E. The responsible party shall notify the Borough Clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Borough Clerk for such purpose.

F. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the responsible party or responsible parties of the building.

**ARTICLE III. ARTICLE II. SECTION 114-10 Access to Vacant Properties.**

The responsible party of any vacant property registered under this Article shall provide access to the Borough to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property responsible party or the designated agent. Such inspections shall be carried out on weekdays during the hours of 8:00 a.m. and 4:00 p.m., or such other time as may be mutually agreed upon between the responsible party and the Borough.

**ARTICLE IV. ARTICLE II. SECTION 114-11 Responsible parties or Agents.**

A. A responsible party who meets the requirements of this Article with respect to the location of his or her residence or workplace in the State of New Jersey may designate him or herself as agent or as the individual responsible for maintaining the property.

B. By designating an authorized agent under the provisions of this section, the responsible party 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 responsible party 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 responsible party notifies the Borough in writing of a change of authorized agent or until the responsible party files a new annual registration statement.

C. Any responsible party who fails to register vacant property under the provisions of this Article shall further be deemed to consent to receive by posting on the building, in plain view, and by service of notice at the last known address of the responsible party of the property on record within the Borough of Brooklawn by regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

**ARTICLE V. ARTICLE II. SECTION 114-12 Fee Schedule.**

- A. The initial registration fee for each building shall be Five Hundred Dollars (\$500.00).
- B. The fee for the first renewal is One Thousand, Five Hundred Dollars (\$1,500.00).
- C. The fee for a second renewal is Three Thousand Dollars (\$1,500.00).
- D. The fee for any subsequent renewal beyond the second renewal is Two Thousand Dollars (\$5,000.00).

**ARTICLE VI. ARTICLE II. SECTION 114-13 Requirements of responsible parties of Vacant Property**

On or before the forty-fifth (45<sup>th</sup>) day after notification of the responsible party by the Borough that the property is vacant and abandoned and until the property is reoccupied, the responsible party for a vacant and abandoned property shall

- A. Enclose and secure the property against unauthorized entry;
- B. Post a sign affixed to the inside of the property and visible to the public indicating the name, address, and telephone number of the responsible party, any authorized agent designated by the responsible party for the purpose of receiving service of process, and the person responsible for

maintaining the property if different from the responsible party or authorized against; and

C. Acquire and otherwise maintain liability insurance by procuring a vacancy policy covering any damage to any person or any property caused by any physical condition of the property.

**ARTICLE VII. ARTICLE II. SECTION 114-14 Violations; Penalties.**

A. Any person who violates any provision of this Article shall, upon conviction in the Municipal Court of the Borough of Brooklawn, or such other court having jurisdiction, be liable to a fine not exceeding \$1,250.00, or imprisonment for a term not exceeding 90 days, or community service for a term not exceeding 90 days, or all of the above. Each day that a violation occurs shall be deemed a separate and distinct violation, subject to the penalty provisions of this Article.

B. For purposes of this section, failure to file a registration statement within thirty (30) calendar days after a building becomes vacant property or within thirty (30) calendar days after assuming the status of a responsible party of a vacant property, whichever is later, or within ten (10) calendar days of receipt of notice by the municipality, and failure to provide correct information on the registration statement, or failure to comply with the provisions of such provisions contained herein shall be deemed to be violations of this Ordinance.

C. Any penalty imposed pursuant to this section shall be recoverable by a summary proceeding under the "Penalty Enforcement Law of 1999," P.L. 1999, c.274 (C.2A:58-10, et seq.). The Superior Court, Law Division, Camden County, or the Municipal Court of the Borough of Brooklawn shall have jurisdiction to enforce such penalty.

**ARTICLE VIII.**

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

**ARTICLE IX.**

This Ordinance shall take effect on April 1, 2022, after its passage and publication in accordance with law.

**THE BOROUGH OF BROOKLAWN**

**BY: \_\_\_\_\_**  
**THERESA M. BRANELLA, MAYOR**

**ATTEST:**

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RYAN GILES, BOROUGH CLERK**

The foregoing ordinance was introduced by Mayor and Council at a meeting held on March 21, 2022. This Ordinance will be considered for adoption on final reading and public hearing to be held on April 18, 2022 at 6:30 p.m in the Council Meeting Room, Brooklawn Borough Hall, 301 Christiana Street, Brooklawn, New Jersey.

The purpose of this Ordinance is to require certain registration requirements for responsible parties of vacant properties in the Borough of Brooklawn, consistent with P.L. 2021, c.444. A copy of this Ordinance is available at no charge to the general public between the hours of 9:00 AM to 4:00 PM, Monday through Thursday (Legal Holidays excluded), at the Office of the Borough Clerk, Brooklawn Borough Hall, 301 Christiana Street, Brooklawn, New Jersey.