

ORDINANCE NO. 3849

**AN ORDINANCE ESTABLISHING AN ABANDONED PROPERTY LIST AND AUTHORIZING
THE PUBLIC OFFICER TO DESIGNATE QUALIFIED REHABILITATION ENTITIES**

SUMMARY

An Ordinance establishing an Abandoned Property List and authorizing the Public Officer to designate Qualified Rehabilitation Entities.

WHEREAS, the Township of Franklin contains a number of vacant buildings that have been abandoned by their owners, and that are in a state of disrepair and neglect; and

WHEREAS, these buildings, by virtue of their condition and their proximity to other buildings, are diminishing the value of neighboring properties and have a negative effect on the quality of life of adjacent residents and property owners, increasing the risk of property damage through arson and vandalism and discouraging neighborhood stability and revitalization; and

WHEREAS, many of these buildings, or the land on which they are situated, can be used for productive purposes, which will further the revitalization of the Township of Franklin and improve its economic and social condition; and

WHEREAS, the Township of Franklin desires to use the powers granted local governments under the laws of the State of New Jersey to address the conditions created by these buildings, and further their reuse for productive purposes; and

WHEREAS, by creating an abandoned property list, as set forth in Section 36 of P.L. 1996, c.62 (C.55:19-55) as amended by Section 28 of P.L. 2003, c.210, the municipality will better be able to address the conditions created by these buildings, and further their reuse for productive purposes;

NOW, THEREFORE, BE IT ORDAINED:

- (1) The Public Officer to be designated by the Township Manager, or his Designee (both collectively referred to hereafter simply as the "Township Manager"), is hereby directed to identify abandoned properties within the municipality, place said properties on an abandoned property list established as provided in Section 36 of P.L. 1996, c.62 (C.55:19-55), as amended by Section 28 of P.L. 2003, c.210, and provide such notices and carry out such other tasks as are required to effectuate an abandoned property list as provided by law.
- (2) The abandoned property list shall apply to the Township of Franklin as a whole.

- (3) The Public Officer shall provide a report to the Township Manager and Governing Body 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 municipality 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 Township of Franklin.
- (4) No provision hereof shall be construed as restricting or otherwise abrogating the enforcement and other powers of the Township's Construction Code Official under the New Jersey Uniform Construction Code, including without limitation N.J.S.A. 52:27D-123 et seq., and N.J.A.C. 5:23-1.1 et seq. (collectively, the "Code"). The provisions hereof shall be construed as consistent with the enforcement and other powers of the Township's Construction Code Official under the Code.
- (5) This ordinance shall take effect immediately as provided by law.

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THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE TOWNSHIP COUNCIL,
TOWNSHIP OF FRANKLIN, SOMERSET, NJ

INTRODUCED: September 8, 2009

PUBLIC HEARING: October 13, 2009

ADOPTED:

NOTICE OF FINAL ADOPTION:

EFFECTIVE DATE:

ANN MARIE McCARTHY, TOWNSHIP CLERK