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FRANKLIN



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## 'Local Government 101' Property Maintenance

Residents have requested information on the workings of municipal government — an insider's view of Franklin Township in action. For that reason, various aspects of municipal government will be the focus of articles that have been titled: Local Government 101. If you find these articles helpful and have ideas and suggestions for future articles, call (732) 873-2500, ext. 239, or e-mail [joyce.miller@twp.franklin.nj.us](mailto:joyce.miller@twp.franklin.nj.us).



Perhaps it is because of the current economic climate or perhaps it is the record-setting heat wave. Whatever the reason, the Township has been receiving more and more calls from residents complaining about the maintenance of someone's property.

The Township has several Chapters of the Municipal Code which addresses property maintenance. To name a few:

- Chapter 88: Brush, Grass and Weeds
- Chapter 94: Unfit Buildings
- Chapter 112: Land Development (includes sign regulations)
- Chapter 121: Numbering of Buildings
- Chapter 167: Noise
- Chapter 169: Nuisances
- Chapter 183: Property Maintenance

Because of the limited space in the newsletter, only the questions most frequently received by residents will be answered here. The entire Municipal Code, can be found on the Township website, <http://www.franklintwpnj.org/>. A search by "keyword or phrase" or a specific chapter number make the site easy to use.

### Violations the Property Owner's Responsibility

With any violation to any Municipal Code, there are specific requirements on proper notification to the property owner and the owner's ability to rectify the problem within a reasonable time. Only after going through the steps outlined in the code can the Township take formal action (cleanup, demolition, etc). Before all the legal steps are taken, the Township does not have any authority to enter the property unless there is imminent danger to the public.

A lien is put on the property and added to the taxes for the cost to investigate, administer the situation, as well as the cleanup. In addition, the owner must pay fines as determined by the Municipal Court.

Questions and complaints should be filed with either Health (908-231-7155), Planning (732-873-2500, ext. 277) or Animal Control (732-873-2500, ext. 255).

### Commonly—Asked Questions and Complaints and Applicable Ordinance

*My neighbor never rakes his leaves.*

There is no ordinance that requires the raking of leaves.

*The house next door is abandoned and the grass is reaching the window—almost! And there is garbage, an old sofa, and junk all over.*

All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches. All noxious weeds shall be prohibited. (Chapter 183-28E). All exterior property and premises shall be maintained in a clean, safe, and sanitary condition. (Chapter 183-28)

*My son got poison ivy getting his ball that rolled to the fence along the property line.*

Prohibited is the growth, existence or presence of poison ivy within 20 feet of any property line. Also prohibited is the presence of accumulated water that would attract mosquitoes or garbage and animal manure where fly larvae or rodents could breed. (Chapter 169-6)

*It looks like a used car parking lot next door. Any limit to the number of cars and where they park?*

- No inoperable or unregistered motor vehicle should be parked on any premise. Vehicles should be parked only on driveways or designated parking areas made of blacktop, concrete or stone.
- Grassy areas shouldn't be used for parking. (Chapter 183-28K-L)

In addition, the Code specifies the legal number of occupants per building based on space and sleeping and sanitary facilities. It requires the registering of all rental units. The owner-landlord could be fined the cost of school tuition if a non-resident is found to live in the building and sending a child to the Franklin schools. (Chapter 183-12E, Chapter 183-16)

*I can hear the music playing from the townhouse next door late in the evening. (Wish they would at least play the type of music I enjoy!)*

- Prohibited is any excessive sound that is a hazard to the public health, welfare, safety and the quality of life. Sound measurements can be made to determine if they exceed 80 decibels. (Chapter 167-5)

Also prohibited is any noise from any noncommercial power tools and landscaping equipment between the hours of 8 p.m. and 8 a.m. Commercial power tools and landscaping equipment cannot be operated within 250 feet of a residential property line between 7 p.m. and 7 a.m. on weekdays and 6 p.m. and 9 a.m. on weekends. (Chapter 167-6)

*There is a house down the street that is in bad repair. The gutter has fallen down, the garage door doesn't close, and there are broken windows.*

- The exterior of a structure shall be maintained in good repair, structurally sound, and sanitary so there is no threat to the public health, safety and welfare. (Chapter 183-29)

*There is a building that burned to the point where it can't be inhabited. It took what seemed forever for it to be taken down. Was there anything that could have been done to have it taken down sooner?*

- If there was immediate danger to life by the threatened collapse of the fire-damaged structure, the Township could have ordered it secured or demolished. (Chapter 94-5) If the structure is so old, dilapidated or out of repair that is dangerous, unsafe, unsanitary or unfit for human occupancy, a demolition order can be issued. (Chapter 183-14)

*The neighbor has a lawn service that blows clippings into the street, which eventually end up in front of my house.*

- Sweeping, raking, blowing or otherwise placing yard waste that is not containerized into any street is prohibited. (Chapter 183-32A)

*My neighbor's dog like to bark at every passing person, car, and squirrel. It is annoying.*

- Dogs should not be barking for more than 10 minutes consecutively or intermittently for 30 minutes, unless the dog is provoked. (Chapter 115-17)

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## Special Needs Registry for Disasters

In preparation for 2010 Hurricane season, as well as any potential emergency event, the New Jersey Office of Emergency Management has created New Jersey's Special Needs Registry for Disasters - a free, voluntary and confidential program designed to assist people with special needs who may find it difficult to get to safety in the event of an emergency.

People with special needs (or caregivers on their behalf) are encouraged to register electronically, if possible, by accessing <https://www13.state.nj.us/SpecialNeeds/> or call New Jersey's toll-free 2-1-1 telephone service. This service will register people, offer free translation, and provide TTY services for the hearing-impaired. Paper registration forms are also available at all 21 county offices of emergency management via: <http://www.ready.nj.gov/about/association.html>.