ORDINANCE #4-18

ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY OF MONMOUTH, NEW JERSEY, AMENDING CHAPTER XII, BUILDING AND HOUSING, TO REFLECT SCHEDULE OF PENALTIES PAYABLE WITHOUT A COURT APPEARANCE REQUIRED

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.* 40:48-2.12a, the Mayor and Council of the Borough of Keyport (the "**Borough Council**") have the power to adopt and enforce ordinances to regulate the use and occupancy of buildings and structures within the Borough in order to prevent and abate conditions harmful to the health and safety of the general public; and

WHEREAS, the Mayor and Borough Council hereby desire to amend Borough Code Chapter XII, "Building and Housing," Section 12-4, "Property Maintenance Code," to add Subsection 12-4.5, "Penalties Payable Without Court Appearance Required," to reflect the following additions (additions are <u>underlined</u> and deletions are in [brackets]):

… [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] …

<u>12-4.5. Fines Payable Without Court Appearance Required.</u>

<u>The following violations of the 2015 International Property Maintenance Code, the 1996 BOCA National Property Maintenance Code, both incorporated herein under 12-4.1, and the Borough of Keyport Code shall be payable at the Violations Bureau of the Keyport Municipal Court unless "Court Appearance Required" has been selected on the summons. These violations shall be payable at $100.00. If "Court Appearance Required" has been selected, the fee schedule includes a maximum penalty of up to $1,250.00, at the discretion of the Municipal Court Judge.</u>

<u>International Property Maintenance Code 2015:</u>

<u>KPM 302.1 Sanitation</u>

<u>KPM 302.3 Sidewalks & Driveways</u>

<u>KPM 302.4 Weeds</u>

<u>KPM 304.2 Protective Treatment</u>

<u>KPM 304.3 Address Identification</u>

<u>KPM 304.7 Roofs & Drainage</u>

<u>KPM 304.14 Insect screens</u>

<u>KPM 304.19 Gates</u>

<u>KPM 308.1 Accumulation of Rubbish or garbage</u>

<u>KPM 308.2 Disposal of rubbish</u>

<u>KPM 302.2.2 Refrigerators</u>

<u>KPM 308.3.2 Containers</u>

<u>BOCA National Property Maintenance Code 1996:</u>

<u>BPM-303.1 Sanitation</u>

<u>BPM-303.2 Grading & Drainage</u>

<u>BPM-303.83 Sidewalks & Driveways</u>

BPM-303.4 Weeds $100.00

BPM-304.2 Exterior Painting

BPM-304.3 Street Numbers

BPM-304.15 Insect screens

BPM-306.1 Accumulation of Rubbish or garbage

Local Codes:

4-4 Clear Sight at intersections

4-5.1 Failure to remove snow & ice

12-14 Landlord Registration

12-17 Storage Containers

14-5.1 Sump Pump Discharge

16-5.9 Grass Clippings & Leaves

16-8.3 Yard Waste- Prohibited Conduct

25:1-15.16a7- Fences & Walls Maintenance

25:1-18f Overnight Parking

25:1-28(1) Dumpsters & Other Containers

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Keyport as follows:

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

Section 2. Chapter XII of the Borough Code shall be amended as follows:

12-4.5. Fines Payable Without Court Appearance Required.

The following violations of the 2015 International Property Maintenance Code, the 1996 BOCA National Property Maintenance Code, both incorporated herein under 12-4.1, and the Borough of Keyport Code shall be payable at the Violations Bureau of the Keyport Municipal Court unless "Court Appearance Required" has been selected on the summons. These violations shall be payable at $100.00. If "Court Appearance Required" has been selected, the fee schedule includes a maximum penalty of up to $1,250.00, at the discretion of the Municipal Court Judge.

International Property Maintenance Code 2015:

KPM 302.1 Sanitation

KPM 302.3 Sidewalks & Driveways

KPM 302.4 Weeds

KPM 304.2 Protective Treatment

KPM 304.3 Address Identification

KPM 304.7 Roofs & Drainage

KPM 304.14 Insect screens

KPM 304.19 Gates

KPM 308.1 Accumulation of Rubbish or garbage

KPM 308.2 Disposal of rubbish

KPM 302.2.2 Refrigerators

KPM 308.3.2 Containers

BOCA National Property Maintenance Code 1996:

BPM-303.1 Sanitation

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BPM-303.83 Sidewalks & Driveways

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

Section 6. This ordinance shall be in full force and effect from and after its adoption and publication as required by law.

Introduced: February 20, 2018
Public Hearing: March 20, 2018
Adopted: March 20, 2018

Valerie T. Heilweil, RMC, CMR
Borough Clerk
Borough of Keyport

Harry M. Aumack, II, Mayor
Borough of Keyport