

ORDINANCE NO. 2015-10

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 11
ENTITLED "BUILDING AND HOUSING" OF THE CODE OF THE BOROUGH OF ELMER**

WHEREAS, the Mayor and Council of the Borough of Elmer have determined that certain amendments to Chapter 11 entitled "Building and Housing" are necessary; and

WHEREAS, in all other respects Chapter 11 entitled "Building and Housing" shall remain in full force and effect;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Elmer, County of Salem and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

Chapter 11-1.1 entitled "Uniform Construction Code", subsection 11-1.1 entitled "Administration and Enforcement" shall be amended to read as follows:

11-1.1 Administration and Enforcement.

a. The Borough of Elmer, ~~pursuant to N.J.S.A. 52:27D, et seq. and N.J.A.C. 5:23-4.3,~~ hereby relinquishes its jurisdiction of the administration and enforcement of the Uniform Construction Code to the Department of Community Affairs of the State of New Jersey. ~~The transfer of jurisdiction pursuant to this section shall take effect upon the grant of waiver of the one hundred twenty (120) day notice period by the Office of Local Code Enforcement or after the expiration of one hundred twenty (120) calendar days from the date a certified copy of this section is forwarded to the Department of Community Affairs, or until the Department of Community Affairs shall exercise its jurisdiction to enforce the Uniform Construction Code, whichever is sooner.~~

b. ~~The Borough of Elmer shall deliver or make available to the Department of Community Affairs any and all records and files of the municipality necessary for the Department to carry out its function, and the Department is hereby authorized to transfer such records and files to a location designated by the Department. (Ord. No. 77-2 § 1; Ord. No. 92-13; Ord. No. 95-2 § 1; Ord. No. 99-10; Ord. No. 2001-14; Ord. No. 2003-12 §§ 1, 2)~~

Township of Pittsgrove, County of Salem, State of New Jersey pursuant to a certain Shared Services Agreement dated January 1, 2005.

Section 2.

Chapter 11-2 entitled "Housing Standards", subsection 11-2.1 entitled "Declaration of Intent" shall be amended to read as follows:

11-2.1 Declaration of Intent.

The intention of this section is to promote the health, safety and welfare of the residents of the Borough of Elmer by enforcing the New Jersey State Housing Code, N.J.A.C. 5:28-1 et seq., and the International Property Maintenance Code, ~~as adopted by Chapter 10, Property Maintenance. (Ord. No. 94-5 § 1)~~ 2012, and as subsequently amended and revised.

Section 3.

Chapter 11-2 entitled "Housing Standards", subsection 11-2.3 entitled "Enforcement Officer" shall be amended to read as follows:

11-2.3 Enforcement Officer.

The Borough shall designate the Housing Officer to exercise the powers and duties prescribed by this section and he shall be known as the Borough Housing Officer. (Ord. No. 94-5 § 3; New)

Section 4.

Chapter 1-2 entitled "Housing Standards", subsection 11-2.13 entitled "Amendments to Housing Standards" shall be amended to read as follows:

11-2.13 Amendments to Housing Standards.

b. *302.4 Weeds.* All premises and exterior property shall be maintained free from weeds or plant growth in excess of ~~eight (8)~~ ten (10) inches.

Section 5.
Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

Section 6.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 7.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

BOROUGH OF ELMER

BY: _____
Joseph Stemberger, Mayor

ATTEST:

Beverly S. Richards
Borough Clerk

NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Elmer, in the County of Salem and State of New Jersey, held on February 11, 2015. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Council to be held in the Borough Hall, 120 South Main Street, Elmer, New Jersey 08318, on March 11, 2015 at 7:30 P.M.

During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at Borough Hall, 120 South Main Street, in the Borough, to the members of the general public who shall request the same.

Beverly S. Richards
Borough Clerk

NOTICE OF ADOPTION

OF

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The foregoing named Ordinance was duly adopted at a regular meeting of the Mayor and Borough Council of the Borough of Elmer on March 11, 2015.

Beverly S. Richards, Clerk
Borough of Elmer