ORDINANCE 8 - 2011
ORDINANCE AMENDING CHAPTER 64C
OF THE WOODBURY HEIGHTS CODE

BE IT ORDAINED by the Borough Council of the Borough of Woodbury Heights, County of Gloucester and State of New Jersey that Chapter 64C of the Woodbury Heights Code is hereby amended, in its entirety, as follows:

§64C-1

This Chapter shall be known as the "Inoperable Motor Vehicle Code" of the Borough of Woodbury Heights.

§64C-2 Findings and Declaration of Policy.

It is hereby found, determined and declared that the placement, abandonment, leaving, parking, storing or maintaining any unregistered, disabled, dismantled or inoperable motor vehicle on private or public property in the Borough of Woodbury Heights is contrary and detrimental to the public welfare in that such motor vehicles so placed, abandoned, left, parked, stored or maintained may result in progressive deterioration of properties and create the potential of establishing blighted conditions which may spread to other properties if such conditions are not curtailed or removed and that such conditions may require the expenditure of public funds to correct and eliminate them and that, by reason of timely regulation and enforcement of the provisions herein, the growth of depressed and blighted areas may be prevented and the public health, safety and welfare protected. It is further found and determined that such prevention will maintain neighborhood and property values, as well as the desirability and amenities of residential uses, all to the public good and welfare. It is further found and determined that such motor vehicles stored or maintained on private property or on public roadways, rights-of-ways or easements tend to attract insect and animal infestation, may create health, fire and sanitary hazards and are otherwise detrimental to the public health, safety and welfare of the residents of the Borough of Woodbury Heights.

By reason of the above, the Borough deems it in the best interests of the Borough and its citizens that such aforesaid motor vehicles be prohibited in the Borough except as hereinbelow set forth.

§64C-3 Outdoor Storage Prohibited.

No person, entity, property owner, tenant or representative of the foregoing shall place, abandon, leave, keep, park, permit or suffer the placing, abandoning, leaving, keeping, parking or maintaining any motor vehicle, subject to registration requirements under Title 39 of the New Jersey Statutes, out of doors upon any private property or upon any public right-of-way, roadway or easement in the Borough of Woodbury Heights for more than ten (10) days unless same is:

1. Stored in a fully enclosed garage;
2. Stored at a lawful and licensed junk yard; or
3. Stored upon a property conducting a lawful automotive repair facility; or
4. Is placed, parked or maintained for a duration of less than ten (10) days.

§64C-4 Responsibility.

The owner of private property and the owner of a motor vehicle placed, abandoned, left, kept, parked or maintained in violation of this Chapter shall be jointly and severably responsible and subject to the penalties provided for herein.

§64C-5 Notice.

Any Police Officer, Zoning Officer or Code Enforcement Officer of the Borough of Woodbury Heights may cause a written notice to be served upon the owner of private property or owner of a motor vehicle which is the subject of a violation of this Chapter demanding an abatement of such violation within seven (7) days of the date of such notice. Notice may be personally provided or sent by certified mail, return receipt requested, to the address listed within the tax duplicate records of the Borough if to a property owner or to an address listed within records of the NJ Division of Motor Vehicles if to the owner of a vehicle. If any such person or entity shall not abate the violation within the time fixed by such notice, such owner(s) shall be in violation of this Chapter.

§64C-6 Violations and Penalties.

A. Each day that any such person or entity shall continue to keep, maintain, park, store, place or abandon such vehicle as prohibited by this Chapter, each such day shall be deemed to be a separate and distinct offense and violation hereof.

B. Any person or entity that shall violate any provisions of this Chapter shall, upon conviction thereof in the Municipal Court, be fined not less than $200.00 and not more than $1,000.00 for a first offense and a fine of not less than $300.00 and not more than $1,200.00 for a second or subsequent offense.

BE IT FURTHER ORDAINED as follows:

A. All Ordinances of the Borough of Woodbury Heights inconsistent with the provisions of this Ordinance be and are hereby repealed to the extent of any such inconsistency;

B. All existing Ordinances not inconsistent with the provisions of this Ordinance be and are hereby saved from repeal. Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional, unlawful or unenforceable by a Court of competent jurisdiction, all other parts or provisions of this Ordinance shall be severable and deemed lawful and enforceable;

C. This Ordinance shall take effect immediately upon passage, publication and as otherwise provided by law.

BOROUGH OF WOODBURY HEIGHTS

BY: Harry W. Elton

HARRY W. ELTON, JR., MAYOR

ATTEST: Janet Pizzi

JANET PIZZI, CLERK/ADMINISTRATOR

NOTICE

The foregoing Ordinance was introduced at a Meeting of the Mayor and Borough Council of the Borough of Woodbury Heights conducted on February 16, 2011 and will be considered for final hearing and adoption at a meeting to be held on the 16 th day of March, 2011, at 7:30 P.M., at which time any objections hereto may be heard.

Janet Pizzi

JANET PIZZI, BOROUGH CLERK

PUBLIC NOTICE

ORDINANCE 8-2011

ORDINANCE AMENDING CHAPTER 64C OF THE WOODBURY HEIGHTS CODE

Notice is hereby given that the above Ordinance was adopted at the Regular Meeting of the Mayor and Borough Council of the Borough of Woodbury Heights held on the 16th day of March, 2011.

Janet Pizzi

JANET PIZZI, BOROUGH CLERK