



**REGISTRATION FORM FOR
ABANDONED / VACANT RESIDENTIAL PROPERTIES**
(Print or type only)

Block : _____ Lot: _____

1. _____
Address of Subject Property
2. _____
Property Owner's Name Telephone #
3. _____
Property Owner's Address City State Zip
- _____ E-Mail
4. _____
Name of Managing Agent Authorized to Act With Respect to the Vacant Property
NJ Address Only City State Zip
- _____ Telephone # Cell Phone #
- _____ E-Mail

5. PROPERTY DESCRIPTION:

- A. Number of Stories: _____
- B. Date property was acquired: _____
- C. Does current owner intend to restore the property to productive use and occupancy in the next 12 months? :
Yes: ☐ No: ☐
- D. Is the property Currently:
1. Enclosed and secured from unauthorized entry: (Boarded -up) Yes ☐ No ☐
2. Have a sign on the building stating the name, address, and phone # of the owner and Owners authorized agent? Yes ☐ No ☐
3. Who will maintain the structure and the property until it is occupied and or demolished:
- _____ Name
- _____ Phone #

OWNER OR AUTHORIZED AGENT'S SIGNATURE

DATE

Ordinance No. 2022-#22 - AN ORDINANCE AMENDING CHAPTER 54 SECTION 6 REGISTRATION AND MAINTENANCE OF VACANT/ABANDONED PROPERTIES

BE IT ORDAINED that the Municipal Council of the Borough of Waldwick hereby amends chapter 54 section 6 registration and maintenance of vacant/abandoned properties as follows:

§ 54-6. Registration and maintenance of vacant/abandoned properties.

§ 54-6.1. Definitions.

OWNER - Any title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of C. 46:10B-51 (P.L. 2008 c. 127, Sec. 17 as amended by P.L. 2009, c. 296), or any other entity determined by the Borough of Waldwick to have authority to act with respect to the property.

VACANT PROPERTY - Any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation, including but not limited to any property meeting the definition of "vacant and abandoned" property in N.J.S.A. 2A:50-73, provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order, or where the building is in habitable condition, and where the building is being actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this ordinance.

§ 54-6.2. Registration requirements.

Effective May 1, 2014, the Owner of any vacant property as defined herein shall, within thirty (30) calendar days after the building becomes vacant property or within thirty (30) calendar days after assuming ownership of the vacant property, whichever is later; or within ten (10) calendar days of receipt of notice by the municipality, file a registration statement for such vacant property with the Property Maintenance Officer on forms provided by the Borough for such purposes. Failure to receive notice from

- f. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the Owner or Owners of the building.

§ 54-6.3. Access to vacant properties.

The Owner of any vacant property registered under this Article shall provide access to the Borough to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours of 9:00 a.m. through 4:00 p.m. or such other time as may be mutually agreed upon between the Owner and the Borough.

§ 54-6.4. Responsible owner or agent.

- a. An Owner who meets the requirements of the Article with respect to the location of his or her residence or workplace in the State of New Jersey may designate him or herself as agent or as the individual responsible for maintaining the property.
- b. By designating an authorized agent under the provisions of this section, the Owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any Owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the Owner notifies the Borough of Walldwick by regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

§ 54-6.7. Rights of the Borough.

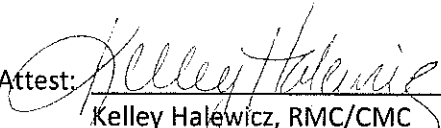
- a. If the Owner is in violation of any terms and conditions of this Ordinance, the Borough shall send notice to the Owner, via certified and regular mail, as identified on the registration, that such violation must be remedied within thirty (30) days of receipt of the notice, or within ten (10) days of receipt of the notice if the violation presents an imminent threat to public health and safety. If such violation is not remedied within the appropriate time of receipt of such notice, the Borough shall cause a summons to be issued.
- b. In addition to such summons, the Borough shall have the right to expend public funds in order to abate the nuisance, correct or remedy the violation, or secure the premises against unauthorized entry, and such costs shall be paid from the escrow established pursuant to Section 54-6.5.
- c. If public funds are expended in order to abate a nuisance or correct a violation on a commercial property in situations in which the Owner was given notice pursuant to this Ordinance but failed to abate the nuisance or correction violation as directed, then this Ordinance shall authorize the Borough of Walldwick the same recourse against the Owner, including but not limited to, the recourse provided under Section 23 of P.L. 2003, c. 210 (C:55:19-100).

§ 54-6.8. Violations.

- a. Any person who violates any provision of this Article or of the rules and regulations issued hereunder shall be fined not less than \$100 and not more than \$2,000 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this chapter shall be recoverable from the Owner and shall be a lien on the property; and
- b. For purposes of this section, failure to file a registration statement within thirty (30) calendar days after a building becomes vacant property or within thirty (30) calendar days after assuming ownership of a vacant property, whichever is later, or within ten (10) calendar days of receipt of notice by the municipality, and failure to provide correct

- f. A creditor that files a summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property if the property is vacant and abandoned at any time while the property is registered with the Borough of Waldwick pursuant to N.J.S.A. 2A:50-73(3)(b).
- g. A creditor that is located outside the State of New Jersey, shall appoint a representative or agent located within the State of New Jersey pursuant to N.J.S.A. 2A:50-73(3)(b).
- h. A creditor that files a summons and complaint in an action to foreclose shall secure the property against unauthorized entry, post a sign affixed to the inside of the property and visible to the public indicating the name, address, and telephone number of the creditor or representative or agent for the purpose of receiving process, and acquire or maintain liability insurance by procuring a vacancy policy that covers any damage to any person or any property caused by any physical condition of the property while registered with the Borough of Waldwick pursuant to N.J.S.A. 2A:50-73(3)(b).
- i. A creditor that fails to provide care, maintenance, security, and upkeep of the exterior of a vacant or abandoned property shall be required to correct the violation within 30-days of the receipt of notice from the Borough of Waldwick, or within 10-days of receipt of the notice if the violation present an imminent threat to public health and safety pursuant to N.J.S.A. 2A:50-73(3)(c).
- j. The Borough of Waldwick reserves the right to contract with a private entity to administer the property registration program pursuant to N.J.S.A. 2A:50-73(3)(d).
- k. The Borough of Waldwick shall impose an annual fee on a creditor required to register a property pursuant to this ordinance. Such fee shall not exceed: (1) \$500 per property annually for any property that is required to be registered because a summons and complaint in an action to foreclose was filed by the creditor; and, (2) an additional \$2,000 per property annually if the property is vacant or abandoned pursuant to the definition in the ordinance when

Attest:


Kelley Halewicz, RMC/CMC
Municipal Clerk


Thomas A. Giordano, Mayor