

Borough of Matawan
201 Broad Street, Matawan New Jersey 07747



Ken Marr, Property Maintenance Officer
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REGISTRATION FORM FOR ABANDONED/VACANT COMMERCIAL OR RESIDENTIAL PROPERTIES

1) Block # _____ Lot # _____

Address of Property

2)

Property Owner Name

Telephone #

Property Owner's Address

City

State

Zip Code

E-mail Address

3)

Name of Managing Agent Authorized to Act on behalf of Owner

Address of Managing Agent

City

State

Zip Code

Telephone #

Cell Telephone #

E-mail Address

4) Property Description: Total Units: _____ Commercial Units: _____

a. Number of stories: _____

b. Date Property Acquired: _____

c. Does the Owner intend to restore property to productive use and occupancy? Yes No

i. What is the anticipated date of the above: _____

d. Is property currently:

i. Enclosed and secured from authorized entry: Yes No

ii. What is the type of securement: _____

iii. Sign affixed to building indicating the name, address, and telephone number of the Owner and the Owner's authorized agent? Yes No

iv. Who will maintain the building and sign in a secure and closed condition?

I certify that the forgoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to a fine indicated in Section 1a. under Violations and Penalties, which will be in addition to other fees indicated in this Ordinance.

Owner's Signature

Date



15-2 MAINTENANCE OF VACANT PROPERTIES, STRUCTURES, REGISTRATION REQUIREMENTS AND FEES.

15-2.1 Definitions

Owner shall include the 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, or any other entity determined by the Borough of Matawan to have authority to act with respect to the property.

Vacant property shall mean any building or structure intended for or having an existing commercial, industrial, mixed-use, single or multifamily residential use, and which is not legally occupied or at which substantially all lawful commercial, business, construction operations or residential occupancy has ceased, or said structure is in such condition that it cannot legally be occupied without repair, renovation, or rehabilitation; provided, however, that any property that contains all building systems or components in working order and is being actively marketed by its owner for sale or rental, shall not be deemed vacant. Property determined to be "abandoned property" in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., which shall include commercial, industrial, single or multifamily, or mixed-use residential structures are deemed to be vacant property for the purposes of this section. However, the owner or owner's agent shall maintain and secure the property even if the property, building, or structure has been placed for sale or rental until such time as the property, building, or structure is sold or rented and occupied.

15-2.2 General Requirements

- a. Effective upon the adoption of this Ordinance, the owner of any vacant property or structure as defined herein shall within sixty (60) days after the building or structure becomes vacant property or within thirty (30) days after assuming ownership of the vacant property or structure, whichever is later, file a registration statement for each such vacant property or structure with the Property Maintenance Officer or any other designated Borough Representative on forms provided by the Borough of Matawan for such purposes. The registration shall remain valid for one (1) year from the date of registration. The owner shall be required to renew the registration annually as long as the building or structure remains vacant property and shall pay a registration or renewal fee in the amount prescribed in Section 15-2.4 of this Ordinance for each vacant property registered.
- b. Any owner of any building that meets the definition of vacant property prior to the effective date of this Ordinance, shall file a registration statement for that property on or before September 1, 2020. The registration statement shall include the information required under the appropriate Section of this Ordinance as well as any additional information that the Borough may reasonably require.

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- c. The owner shall notify the Property Maintenance Officer or any other designated Borough Representative within thirty (30) days of any change in the registration information by filing an amended registration statement on a form provided by the Borough for such

purpose. Upon any transfer of title or change of ownership, the new owner of the vacant property shall be assessed an initial registration fee in the amount of \$500.00 as a new owner.

- d. The registration statement shall be deemed an official record and business record in any administrative enforcement proceeding or court proceeding instituted by the Borough of Matawan against the owner, owners, or other responsible parties responsible for the building or structure.

15-2.3 Registration Statement Requirements; Property Inspection

After filing a registration statement or a renewal of a registration statement, the owner of any vacant property or structure shall provide access by the Borough's agent or representative to conduct an exterior and interior inspection of the building to determine compliance with the Municipal Code, following reasonable notice, during the period covered by the initial registration or any subsequent renewal.

- a. The registration statement shall include the name, street address and telephone number of a person twenty-one (21) years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of such owner or owners in connection with the enforcement of any applicable code. This person must maintain an office in the State of New Jersey. The statement shall also include the name of the person responsible for the maintenance and security of the property, if different.
- b. An owner who is a person who meets the requirements of this Ordinance as to location of residence or office may designate him or herself as agent.
- c. By designating an authorized agent under the provisions of this section the owner or designated agent 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's agent or representative of a change of authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this Ordinance.

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15-2.4 Fee Schedule

The initial registration fee for each building shall be five hundred (\$500.00) dollars. The fee for the first renewal is one thousand (\$1,000.00) dollars, and the fee for the second renewal is one thousand five hundred (\$1,500.00) dollars. The fee for any subsequent renewal beyond the second renewal is two thousand (\$2,000.00) dollars.

Vacant Property / Building Registration Fee Schedule

| | |
|------------------------|------------|
| Initial registration | \$ 500.00 |
| First renewal | \$1,000.00 |
| Second renewal | \$1,500.00 |
| Any subsequent renewal | \$2,000.00 |

15-2.5 Requirements for Owners of Vacant Property

The owner, owners, or the authorized agent of any building that has become or is a vacant property, and any person maintaining, operating or collecting rent for any such building that has become vacant shall, within thirty (30) days:

- a. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the State of New Jersey and the Borough of Matawan, or as set forth in rules and regulations adopted by the Borough of Matawan to supplement those codes; and
- b. Post a permanent laminated or protected sign in a form specified by the Borough agent or representative and affixed to the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process, and the person responsible for day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18 inches x 24 inches. The sign shall be professional made and printed (no handwritten signs will be permitted); and
- c. Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete.

15-2.6 Administration

The Borough of Matawan may issue rules and regulations for the administration of the provisions of this ordinance as it deems necessary.

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15-2.7 Violations and Penalties

- a. Any owner who is not in full compliance with this ordinance or who otherwise violates any provision of this ordinance or of the rules and regulations issued hereunder shall be in addition to the payment of the prescribed licensing fee subject to a fine of not less than \$200.00 and not more than \$1,000.00 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 all such legal fees associated with any reasonable cost recoverable from the owner as well.
- b. For purposes of this section, failure to file a registration statement in time, failure to provide correct information on the registration statement, failure to comply with the provisions of Section 15-2.2 through and including Section 15-2.5 this Chapter, or such other matters as may be established by the rules and regulations of the Borough of Matawan shall be deemed to be violations of this ordinance.
- c. Nothing in this Ordinance is intended to nor shall be read to conflict or prevent the Borough of Matawan from taking action against owners of building or structures found to be unfit for human habitation or are unsafe structures as provided in applicable provision of the Code of the Borough of Matawan, including but not limited to provisions of the State or Borough Building or Property Maintenance codes. Further, any action taken under any such code provision other than the demolition of a structure shall relieve an owner from its obligations under this ordinance.
- d. This Ordinance shall take effect immediately upon final passage and publication and in accordance with the laws of the State of New Jersey.
- e. The administration of this within Ordinance shall be under the authority of the Property Maintenance Officer of the Borough of Matawan.