



Holland Township

Chapter 124. Properties, Vacant or Abandoned

§ 124-1. Purpose.

This chapter authorizes the Township of Holland to govern the maintenance of vacant or abandoned property in the Township of Holland, establishing registration requirements and levying a registration fee on owners of vacant properties.

§ 124-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

OWNER

Includes 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 provision of N.J.S.A. 46:10B-51 (P.L.2008, c. 127, § 17) or any other entity determined by the Township of Holland.

VACANT PROPERTY

Any building used or to be used for residential or commercial purposes which is not legally occupied or at which substantially all lawful construction operations or occupancy has ceased; provided, however, that any property that contains all building systems in working order, is fully compliant with our property maintenance codes, 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., shall also be deemed to be vacant property for the purposes of this chapter.

§ 124-3. Requirements for owners of vacant property.

The owner of any building that has become vacant property, and any person maintaining, operating or collecting rent for any such building that has become vacant shall, within 30 days:

A. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Code of the Township of Holland.

B. Post a sign 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 place 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 by 24 inches.

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.

D. Post the property with "No Trespassing" signs of a nature sufficient to give notice to any person entering upon the property that it is against the law to enter the property without permission of the owner.

E. Ensure that the vacant property is inspected on a monthly basis by the owner's authorized agent and prepare inspection reports, which shall be forwarded to the Zoning Officer no later than the end of each month.

F. Ensure that the vacant property is maintained in accordance with all property maintenance ordinances of the Township.

G. The owner of any vacant building shall acquire and otherwise maintain liability insurance by procuring a vacancy policy in an amount of not less than \$300,000 for buildings designed primarily for use as residential units and not less than \$1,000,000 for any other building, including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses, covering any damage to any person or any property caused by any physical condition of or in the building. The owner shall attach evidence of the insurance to the owner's registration statement. Any registration statement submitted that does not include such evidence shall not be deemed to be a valid registration, which shall subject the owner to penalties under this chapter.

§ 124-4. Administration.

The Mayor and Township Committee may issue rules and regulations for the administration of the provision of this chapter.

§ 124-5. Violations and penalties.

A. Any owner who is not in full compliance with this chapter or who otherwise violates any provision of this chapter or of the rules and regulations issued hereunder shall be subject to a fine of not less than \$500 and not more than \$1,000 for each offense. Each day during which any violation of this chapter 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.

B. For purpose of this chapter, failure to file a registration statement in time, failure to provide correct information on the registration statement, failure to submit inspection reports, failure to comply with the provisions of this chapter, or such other matters as may be established by the rules and regulations of the Zoning Officer or his designee, shall be deemed to be violations of this chapter.

§ 124-6. Effect on other laws; interpretation of provisions.

Nothing in this chapter is intended nor shall be read to conflict or prevent the Township from taking action against buildings found to be unfit for human habitation or unsafe structures as provided in applicable provisions of the Code of the Township of Holland. 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 chapter.

§ 124-7. Excess funds.

Any funds collected as vacant property registration fees in excess of the funds necessary to operate and enforce the provisions of this chapter shall be used for the purpose of property rehabilitation within the Township of Holland at the discretion of the Township Committee.