

Township of Lower, County of Cape May, State of New Jersey

Ordinance # 2013-15

**AN ORDINANCE AMENDING THE PROPERTY MAINTENANCE CODE OF THE TOWNSHIP OF LOWER**

**WHEREAS**, Section 107 of the Property Maintenance Code of the Township of Lower governs the service of notice of violations of said Code; and

**WHEREAS**, it has become an onerous and unfeasible task for Code Enforcement to attempt to contact and provide specific notice of every violation with regard to brush, grass and debris and still provide effective enforcement thereof; and

**WHEREAS**, it cannot be claimed by a landowner that they are not responsible to monitor and maintain the outward appearance of their property with regard to Brush, Grass, and Debris; and

**WHEREAS**, the Lower Township Code Enforcement Officer has recommended to Lower Township Council that said Ordinance be modified to remove the notice requirement prior to issuing a Summons or citation for any violations of this chapter.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Township of Lower Council, County of Cape May and the State of New Jersey as follows:

**Section 1.** Sections 107 of the Property Maintenance Code of the Township of Lower is hereby amended as follows:

**§107.6 Notices and Orders**

No prior notice is required for violations of Chapter 3 of the Property Maintenance Code. All property owners in the Township of Lower are deemed to be on notice that it is their responsibility and duty to monitor and keep their properties in compliance with this chapter. Therefore, no prior notice of violations need be given by the Code Enforcement Officer prior to issuing a Summons for any violations thereof.

**Section 2.** The above Section 107.6 no notice requirements is Intended to replace and supersede all previous notice requirements for all cited section violations.

**Section 3.** All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 4.** Should any section, paragraph, sentence, clause or phrase of this Ordinance be Declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

**Section 5.** Upon final passage and publication according to law, a copy of the Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower

and filed with the Secretary of State.

**Section 6.** This Ordinance shall take effect twenty (20) days after final passage and Publication as provided by law.

  
Thomas Conrad, Councilmember

  
James Neville, Councilmember

  
Glenn Douglass, Councilmember

  
Norris Clark, Deputy Mayor

  
Michael E. Beck, Mayor

Adopted: 7-1-13

Attest:   
Julie A. Picard, Township Clerk